

in debate the questioners over the merits of the proposed action. Cross-examination of speakers, either those of the Air Force or the public, is not the purpose of an informal hearing. If necessary, the hearing officer may limit questioning or conduct portions of the hearing to ensure proper lines of inquiry. However, the hearing officer should include all questions in the hearing record.

A3.7.5. **Statement of Attendees.** The hearing officer must give the persons attending the hearing a chance to present oral or written statements. The hearing officer should be sure the recorder has the name and address of each person who submits an oral or written statement. The officer should also permit the attendees to submit written statements within a reasonable time, usually two weeks, following the hearing. The officer should allot a reasonable length of time at the hearing for receiving oral statements. The officer may waive any announced time limit at his or her discretion. The hearing officer may allow those who have not previously indicated a desire to speak to identify themselves and be recognized only after those who have previously indicated their intentions to speak have spoken.

A3.7.6 **Ending or Extending a Hearing.** The hearing officer has the power to end the hearing if the hearing becomes disorderly, if the speakers become repetitive, or for other good cause. In any such case, the hearing officer must make a statement for the record on the reasons for terminating the hearing. The hearing officer may also extend the hearing beyond the originally announced date and time. The officer should announce the extension to a later date or time during the hearing and prior to the hearing if possible.

A3.8. **Adjourning the Hearing.** After all persons have had a chance to speak, when the hearing has culled a representative view of public opinion, or when the time set for the hearing and any reasonable extension of time has ended, the hearing officer adjourns the hearing. In certain circumstances (for example, if the hearing officer believes it is likely that some participants will introduce new and relevant information), the hearing officer may justify scheduling an additional, separate hearing session. If the hearing officer makes the decision to hold another hearing while presiding over the original hearing he or she should announce that another public hearing will be scheduled or is under consideration. The officer gives notice of a decision to continue these hearings in essentially the same way he or she announced the original hearing, time permitting. The Public Affairs officer provides the required public notices and directs notices to interested parties in coordination with the hearing officer. Because of lead time constraints, SAF/MIQ may waive **Federal Register** notice requirements or advertisements in local publications. At the conclusion of the hearing, the hearing officer should inform the attendees of the deadline (usually 2 weeks) to submit additional written remarks in the hearing record. The officer should also notify

attendees of the deadline for the commenting period of the Draft EIS.

Barbara A. Carmichael,

Alternate Air Force Federal Register Liaison Officer.

[FR Doc. 97-33457 Filed 12-23-97; 8:45 am]

BILLING CODE 3910-01-M

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

36 CFR Parts 1190 and 1191

Accessibility Guidelines for Outdoor Developed Areas; Meeting of Regulatory Negotiation Committee

AGENCY: Architectural and Transportation Barriers Compliance Board.

ACTION: Regulatory negotiation committee meeting.

SUMMARY: The Architectural and Transportation Barriers Compliance Board (Access Board) has established a regulatory negotiation committee to develop a proposed rule on accessibility guidelines for newly constructed and altered outdoor developed areas covered by the Americans with Disabilities Act and the Architectural Barriers Act. This document announces the dates, times, and location of the next meeting of the committee, which is open to the public.

DATES: The committee will meet on: Saturday, January 31, 1998, 2:00 p.m. to 6:00 p.m.; Sunday, February 1, 1998, 8:30 a.m. to 5:00 p.m.; and Monday, February 2, 1998, 8:30 a.m. to 5:00 p.m.

ADDRESSES: The committee will meet at the Princess Hotel, 1404 West Vacation Road, San Diego, California.

FOR FURTHER INFORMATION CONTACT: Peggy Greenwell, Office of Technical and Information Services, Architectural and Transportation Barriers Compliance Board, 1331 F Street, NW., suite 1000, Washington, DC, 20004-1111. Telephone number (202) 272-5434 extension 34 (Voice); (202) 272-5449 (TTY). This document is available in alternate formats (cassette tape, braille, large print, or computer disc) upon request. This document is also available on the Board's web site (<http://www.access-board.gov/rules/outdoor.htm>).

SUPPLEMENTARY INFORMATION: In June 1997, the Access Board established a regulatory negotiation committee to develop a proposed rule on accessibility guidelines for newly constructed and altered outdoor developed areas covered by the Americans with Disabilities Act and the Architectural Barriers Act. (62

FR 30546, June 4, 1997). The committee will hold its next meeting on the dates and at the location announced above. The meeting is open to the public. The meeting site is accessible to individuals with disabilities. Individuals with hearing impairments who require sign language interpreters should contact Peggy Greenwell by January 15, 1998, by calling (202) 272-5434 extension 34 (voice) or (202) 272-5449 (TTY).

Lawrence W. Roffee,

Executive Director.

[FR Doc. 97-33625 Filed 12-23-97; 8:45 am]

BILLING CODE 8150-01-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA-203-0062; FRL-5940-7]

Approval and Promulgation of State

Implementation Plans; California; Ventura County Air Pollution Control District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve a state implementation plan (SIP) revision submitted by the State of California relating to control measures for attaining the ozone national ambient air quality standards (NAAQS) in the Ventura County nonattainment area. The submittal revises control measure adoption schedules in the 1994 ozone SIP for Ventura County. EPA is proposing to approve the SIP revision under provisions of the Clean Air Act (CAA or the Act) regarding EPA action on SIP submittals, SIPs for national primary and secondary ambient air quality standards, and plan requirements for nonattainment areas.

DATES: Written comments on this proposal must be received by January 23, 1998.

ADDRESSES: Comments should be addressed to the USEPA contact listed below.

The rulemaking docket for this notice may be inspected and copied at the following location during normal business hours. A reasonable fee may be charged for copying parts of the docket.

Environmental Protection Agency,
Region 9, Air Division, Air Planning
Office 75 Hawthorne Street, San
Francisco, CA 94105-3901

Copies of the SIP materials are also available for inspection at the addresses listed below:

California Air Resources Board, 2020 L Street, Sacramento, California
Ventura County Air Pollution Control District, 669 County Square Drive, Ventura, California

FOR FURTHER INFORMATION CONTACT:

Dave Jesson (415) 744-1288, Air Planning Office (AIR-2), Air Division, U.S. EPA, Region 9, 75 Hawthorne Street, San Francisco, California, 94105-3901.

SUPPLEMENTARY INFORMATION:

I. Background

A. Clean Air Act Requirements

The Federal CAA was substantially amended in 1990 to establish new planning requirements and attainment deadlines for the NAAQS. Under section 107(d)(1)(C) of the Act, areas designated nonattainment prior to enactment of the 1990 amendments, including Ventura, were designated nonattainment by operation of law. Under section 181(a) of the Act, each ozone area designated nonattainment under section 107(d) was also classified by operation of law, depending on the area's air quality problem. Ventura County was classified as severe, with an attainment date of November 15, 2005.¹

Section 172 of the Act contains general requirements applicable to SIPs for nonattainment areas. Section 182 of the Act sets out additional air quality planning requirements for ozone nonattainment areas.

The most fundamental of these provisions is the requirement that ozone nonattainment areas classified as serious, severe, or extreme, submit by November 15, 1994, a SIP demonstrating attainment of the ozone NAAQS as expeditiously as practicable but no later than the deadline applicable to the area's classification. CAA section 182(c)(2)(A). Such a demonstration must provide enforceable measures to achieve emission reductions at or below the level predicted to result in attainment of the NAAQS throughout the nonattainment area. Sections 182(b)(1) and 182(c)(2)(B) also require the SIPs to achieve specific rates of progress (ROP)

in milestone years leading to the attainment year.

EPA has issued a "General Preamble" describing the Agency's preliminary views on how EPA intends to act on SIPs submitted under Title I of the Act. See generally 57 FR 13498 (April 16, 1992) and 57 FR 18070 (April 28, 1992). The reader should refer to the General Preamble for a more detailed discussion of EPA's preliminary interpretations of Title I requirements. In this proposed rulemaking action, EPA is applying these policies to the Ventura ozone SIP submittal, taking into consideration the specific factual issues presented.

B. EPA Actions on Prior Ventura Ozone SIP Revisions

The Ventura County Air Pollution Control District (VCAPCD) adopted an ozone attainment plan on November 8, 1994. This plan was forwarded to the California Air Resources Board (CARB), which submitted the plan as a proposed revision to the California SIP on November 15, 1994. On December 19, 1995, VCAPCD adopted an updated plan, making minor revisions to adoption and implementation schedules and estimates of emissions reductions for some of the control measures. On July 12, 1996, CARB submitted this updated plan, with a request that EPA approve the corrected version of the control measures.

On January 8, 1997 (62 FR 1150), EPA issued final approval of the Ventura 1994 ozone SIP, as amended by the submittal of July 12, 1996. Specifically, EPA approved the Ventura 1994 ozone SIP with respect to the Act's requirements for emission inventories, control measures, modeling, and demonstrations of 15% ROP and post-1996 ROP and attainment. As part of this action, EPA approved, under sections 110(k)(3) and 301(a) of the Act, VCAPCD's enforceable commitments to adopt and implement 18 control measures by express dates to achieve specific emission reductions for the ROP milestone years 1999, 2002, and 2005.

EPA's approval noted that VCAPCD had adopted on January 9, 1996, minor

further changes to the adoption schedule and emission reductions for many of the control measures. Because the further changes had not yet been submitted by CARB, however, EPA explained that the Agency must act on the adoption schedule as revised by Ventura on December 19, 1995. EPA noted that if the January 1996 changes were to be submitted as a further revision to the SIP's rule adoption schedule, EPA intended to approve them since the changes did not adversely affect ROP or attainment (62 FR 1175).

C. Current SIP Revision

On October 21, 1997, the VCAPCD Board adopted, after proper public notice and involvement, a 1997 revision to the ozone plan, updating the adoption and implementation dates for 8 measures in the 1994 ozone SIP.²

On November 5, 1997, CARB adopted and submitted this update as a SIP revision. The docket to this proposed rulemaking includes CARB Executive Order G-125-227, dated November 5, 1997, and a SIP transmittal letter from Michael P. Kenny, CARB Executive Officer, to Felicia Marcus, EPA Regional Administrator, Region 9, dated November 5, 1997. On November 19, 1997, EPA found the revision to be complete, pursuant to EPA's completeness criteria that are set forth in 40 CFR Part 51 Appendix V.³ A technical clarification regarding emission reductions for each measure is also part of the docket to this action. The clarification is in a November 20, 1997 letter from Richard H. Baldwin, VCAPCD Air Pollution Control Officer, to Michael Kenny. CARB submitted this letter to EPA on December 5, 1997 (letter from Michael P. Kenny to David Howekamp, EPA) as a technical clarification to the SIP.

The table entitled "Revised Adoption and Implementation Dates for Ventura Measures" displays the adoption and implementation dates for each rule in the existing SIP and the proposed revision.

REVISED ADOPTION AND IMPLEMENTATION DATES FOR VENTURA MEASURES

Rule No.	Control measure	Adoption		Implementation	
		SIP	Rev	SIP	Rev
R-303	AIM Architectural Coatings	12/96	12/99	12/97	.....
	Phase 1 .....	.....	.....	.....	2000

¹ The designation and classification of Ventura County for ozone are codified at 40 CFR 81.305.

² VCAPCD Board Resolution is part of the docket for this proposed rulemaking. The VCAPCD plan update also extends the adoption date for one

additional measure, R-705/N-705 Low Emission Vehicle Fleets, which was not approved as part of the 1994 ozone SIP. CARB did not include this measure in the 1997 SIP submittal. VCAPCD assigns no emission reduction credit to the measure and does not propose a specific implementation date.

³ EPA adopted the completeness criteria on February 16, 1990 (55 FR 5830) and, pursuant to section 110(k)(1)(A) of the CAA, revised the criteria on August 26, 1991 (56 FR 42216).

REVISED ADOPTION AND IMPLEMENTATION DATES FOR VENTURA MEASURES—Continued

Rule No.	Control measure	Adoption		Implementation	
		SIP	Rev	SIP	Rev
R-322	Phase 2 .....	.....	.....	.....	2001
	Phase 3 .....	.....	.....	.....	2003
	Painter Certification Program	6/97	12/00	.....	.....
	Phase 1 .....	.....	.....	12/97	12/01
R-327	Phase 2 .....	.....	.....	12/98	12/02
	Electronic Component Manufacturing	6/96	12/99	7/97	12/01
R-410	Marine Tanker Loading	9/96	12/01	7/97	12/02
R-420	Pleasure Craft Fuel Transfer	6/97	12/01	7/98	12/02
R-421	Utility Engine Refueling Operations	12/96	12/01	9/97	12/02
R-425	Enhanced Fugitive I/M Program	9/96	12/98	5/97	12/99
N-102	Boilers, Steam Generators, Heaters <1 MMBtu	12/96	12/99	1/97	12/00

In a technical clarification to the SIP submittal, VCAPCD also provided a table of revised emission reductions for each measure and ROP milestone, reflecting improved information on the measures (primarily corrections to calculation errors) and the impact of changes to the adoption schedule.

VCAPCD adopted many of these revised emission reductions as part of the 1995 AQMP revision adopted December 19, 1995. The revised 2005 emission reductions proposed for approval in this action were used in the modeling in the Ventura attainment demonstration,

which was approved by EPA as part of the Ventura 1994 ozone SIP.

The revised estimates of emission reductions based upon the December 19, 1995 reanalysis and the revised implementation schedule appear below in the table entitled "Revised Emission Reductions for Ventura Measures."

REVISED EMISSION REDUCTIONS FOR VENTURA MEASURES

Rule No.	Control measure	1999		2002		2005	
		SIP	Rev	SIP	Rev	SIP	Rev
R-303	AIM Architectural Coatings	0.00	0.00	0.00	0.73	0.89	0.89
R-322	Painter Certification Program	0.48	0.00	0.51	0.11	0.53	0.59
R-327	Electronic Component Manufacturing	0.07	0.00	0.07	0.07	0.08	0.08
R-410	Marine Tanker Loading	0.00	0.00	0.00	0.00	0.00	0.00
R-420	Pleasure Craft Fuel Transfer	0.08	0.00	0.08	0.00	0.08	0.08
R-421	Utility Engine Refueling Operations	0.19	0.00	0.20	0.00	0.20	0.20
R-425	Enhanced Fugitive I/M Program	1.21	0.00	1.07	1.16	0.95	1.03
N-102	Boilers, Steam Generators, Heaters <1 MMBtu	0.05	0.00	0.06	0.04	0.06	0.04
	Total						
	VOC	2.03	0.00	1.93	2.07	2.73	2.87
	NO _x	0.05	0.00	0.06	0.04	0.06	0.04

Sources: The 1994 SIP emission reductions for each control measure for each ROP milestone year are shown in a table entitled "Ventura Local Control Measures" in EPA's final approval of the Ventura 1994 ozone SIP. 62 FR 1176. The revised emissions reductions are taken from a letter from Richard H. Baldwin to Michael Kenny, dated November 20, 1997, table entitled "Ventura Local Control Measures (tons per day)." All emission reductions are in tons per day of volatile organic compounds (VOC), except for measure N-102, which is tons per day of oxides of nitrogen (NO_x).

The SIP revision included documentation explaining for each measure why the projected adoption and implementation dates were not realistic, considering the level of analysis required or, for some new-technology measures, the relatively small market for control equipment and devices in Ventura County.⁴ VCAPCD's documentation demonstrated that postponement of the adoption and implementation dates for the measures will not jeopardize ROP because the area, relying only on regulations that are now fully adopted, will achieve VOC and NO_x emissions reductions

significantly in excess of the ROP reductions required under the CAA. Finally, VCAPCD noted that all measures would continue to be fully implemented by the attainment date, and that the revised estimate of emission reductions from the measures in 2005 was used in the ozone modeling analysis in the 1994 ozone SIP.

II. EPA Action

A. Analysis

Two sections of the CAA constrain EPA's authority to approve relaxations to the SIP. Section 110(l) prohibits EPA from approving a revision if it would "interfere with any applicable requirement concerning attainment and reasonable further progress (as defined in section 171), or any other applicable

requirement of this Act." Section 193 prevents modification of control requirements "in effect, or required to be adopted by an order, settlement agreement, or plan in effect before November 15, 1990 in any area which is a nonattainment area for any air pollutant * * * unless the modification insures equivalent or greater emission reductions of such air pollutant."

The Ventura 1994 ozone SIP, including its control measures and demonstrations of ROP and attainment, was not required by an order, settlement agreement, or plan in effect before November 15, 1990. Therefore, the provisions of section 193 of the Act do not apply to this proposed revision.

Section 110(l) does not authorize EPA approval of a revised SIP if the revision

⁴ A copy of the documentation, "October 21, 1997 Ventura County Air Pollution Control Board Packet," is included in the docket for this proposed rulemaking.

would interfere with attainment and reasonable further progress, or any other applicable CAA requirement.

The cumulative effect of the proposed extensions of implementation dates is a decrease in 1999 emission reductions of 2.03 tpd VOC and 0.05 tpd NO_x. The net effect of the revision is considerably less in 2002 and 2005. For these ROP milestone years, the delayed NO_x reductions amount to only 0.02 tpd, and VOC reductions are actually increased by 0.14 tpd, due to recalculated benefits from measures R-303 and R-425.

The Ventura 1994 ozone SIP meets the minimum Federal ROP requirements without reliance on any local measures that were not fully adopted in regulatory form.⁵ Therefore, the proposed revision would not interfere with reasonable further progress, which for ozone areas is equivalent to the minimum CAA ROP requirements applicable to the area.

Because the proposed revision simply delays rather than relaxes or withdraws control measures in the approved SIP, because the total amount of postponed emission reductions is small, because there is a net increase in the total of ozone precursor emission reductions in the attainment year, and because the VOC/NO_x emission reductions reflected in this submittal were used in the modeled attainment demonstration in the Ventura 1994 ozone SIP, EPA concludes that the proposed revision would not interfere with any requirement of the CAA relating to the 1-hour ozone NAAQS, or any other NAAQS, or any other State obligation under the Act.

B. Summary of Proposed Action

In this document, EPA is proposing to approve the 1997 update to the 1994 ozone SIP for Ventura under sections 110(k)(3) and 301(a) of the Act. The effect of this approval, if finalized, would be to amend the federally enforceable adoption and implementation dates and emission reductions for 8 measures in the Ventura 1994 ozone SIP as shown in the tables above entitled "Revised Adoption and Implementation Dates for Ventura

Measures" and "Revised Emission Reductions for Ventura Measures."

III. Regulatory Process

Under the Regulatory Flexibility Act, 5 U.S.C. 600 *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 impact on a substantial number of small entities. Small entities include small business, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

SIP approvals under sections 110 and 301 and subchapter I, part D of the CAA, do not create any new requirements, but simply approve requirements that the State is already imposing. Therefore, because the Federal SIP approval does not impose any new requirements, it does not have a significant impact on any small entities affected. Moreover, due to the nature of the Federal state relationship under the CAA, preparation of a regulatory flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The CAA forbids EPA to base its actions concerning SIP's on such grounds. *Union Electric Co. v. U.S.E.P.A.*, 427 U.S. 246, 256-66 (S.Ct. 1976); 42 U.S.C. 7410(a)(2).

The OMB has exempted this action from review under Executive Order 12866.

IV. 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 undertake various actions in association with proposed or final rules that 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.

Through submission of these SIP revisions, the State and any affected local or tribal governments have elected to adopt the program provided for under section 110 and 182(b) of the CAA. These rules may bind State, local, and tribal governments to perform certain actions and also require the private sector to perform certain duties. To the extent that the rules being approved or disapproved by this action will impose any mandate upon the State, local, or tribal governments either as the owner or operator of a source or as a regulator, or would impose any mandate upon the private sector, EPA's action will impose no new requirements; such sources are

already subject to these requirements under State law. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action. EPA has also determined that this final action does not include a mandate that may result in estimated costs of \$100 million or more to State, local, or tribal governments in the aggregate or to the private sector.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, hydrocarbons, Incorporation by reference, Intergovernmental relations, Oxides of nitrogen, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Authority: U.S.C. 7401 *et seq.*

Dated: December 16, 1997.

Felicia Marcus,

Regional Administrator, Region IX.

[FR Doc. 97-33609 Filed 12-23-97; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 441

[FRL-5940-8]

A Public Hearing on the Proposed Effluent Limitations Guidelines and Pretreatment Standards for the Industrial Laundries (IL) Industry

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

ACTION: Notice of public hearing.

SUMMARY: The Environmental Protection Agency is conducting a second public hearing, in addition to the public hearing being conducted in Washington, D.C. to inform the public of the proposed effluent limitations guidelines and standards for the industrial laundries industry. The hearing is intended for interested parties to provide comments to the Agency on disputed technical, scientific, economic, or other issues.

DATES: The public hearing will be held on Wednesday, January 21, 1998, from 9:00 a.m. to 12:00 noon.

ADDRESSES: The hearing will be held at the Henry M. Jackson Federal Building, South Auditorium, Seattle, Washington. The building is located at 915 2nd Avenue. Persons wishing to present formal comments at the public hearing should have a written copy for submittal.

A limited number of rooms are available at the Westin Seattle Hotel.

⁵ EPA's final approval of the Ventura 1994 ozone SIP at one point states that "the Ventura control measures are relied upon in meeting the post-1996 ROP and attainment requirements of the Act." 62 FR 1176. This statement is true with respect to attainment but is in error with respect to ROP requirements. VCAPCD's 1994 ozone SIP includes a Post-96 ROP schedule that meets the minimum CAA requirement for each milestone year (9% reduction in emissions for each 3-year period through the attainment year, *i.e.*, 1999, 2002, 2005), relying only on fully adopted regulations, with no credit taken from local control measures. The 1994 ozone SIP uses creditable NO_x reductions to substitute for VOC shortfalls in 2002 and 2005, as allowed by section 182(c)(2)(C) of the Act.