

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<sub>x</sub>. The net effect of the revision is considerably less in 2002 and 2005. For these ROP milestone years, the delayed NO<sub>x</sub> 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.<sup>5</sup> 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<sub>x</sub> 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

<sup>5</sup> EPA's final approval of the Ventura 1994 ozone SIP on 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<sub>x</sub> reductions to substitute for VOC shortfalls in 2002 and 2005, as allowed by section 182(c)(2)(C) of the Act.

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.

Hotel reservations may be made by calling (206) 727-5888 and refer to the EPA Public Hearing to obtain a group rate of \$99.00. The Westin Hotel at 1900 5th Avenue is approximately 10 blocks from the Henry M. Jackson Federal Building.

**FOR FURTHER INFORMATION CONTACT:** Marta Jordan, Engineering and Analysis Division (4303), U.S. EPA, 401 M Street SW., Washington DC 20460. Telephone (202) 260-0817, fax (202) 260-7185 or E-Mail Jordan.Marta@epamail.epa.gov

**SUPPLEMENTARY INFORMATION:** EPA proposed effluent limitations guidelines and pretreatment standards for the Industrial Laundries Category under authority of the Clean Water Act (33 U.S.C. 1251 *et seq.*) (62 FR 66182, December 17, 1997). The Industrial Laundries Category includes facilities that launder industrial textile items such as, industrial: garments and uniforms, shop towels, printer towels, mops, mats, and dust control items from off-site as a business activity. The items that are laundered are owned either by the laundry facilities or their customers. Often these facilities wash other items that are not classified as industrial textile items, such as linen supply garments, linen flatwork, health-care items, and miscellaneous other items.

The public hearing will include a brief discussion of the proposed rule which includes scope, technology-based regulatory options, and other general industrial laundries industry issues. The hearing will be recorded or transcribed by a reporter for inclusion in the record for the Industrial Laundries Category rulemaking.

Documents relating to the topics mentioned above and a more detailed agenda will be available at the meeting.

Dated: December 18, 1997.

**Tudor Davies,**

*Director, Office of Science and Technology.*  
[FR Doc. 97-33608 Filed 12-23-97; 8:45 am]

BILLING CODE 6560-50-P

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**50 CFR Part 17**

**Endangered and Threatened Wildlife and Plants; Reopening of Comment Period and Public Hearings on the Proposed Rule To List the Topeka Shiner as Endangered**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Proposed rule; notice of public hearings and reopening of comment period.

**SUMMARY:** The Fish and Wildlife Service (Service) gives notice that four public hearings will be held on its proposal to list the Topeka shiner (*Notropis topeka*) as an endangered species. The Service proposed endangered status pursuant to the Endangered Species Act (Act) of 1973, as amended, for the Topeka shiner on October 24, 1997 (62 FR 55381). These hearings will allow additional comments on this proposal to be submitted from all interested parties.

**DATES:** The comment period on the proposal is reopened from January 12, 1998 through February 9, 1998. The public hearings will be held from 7 to 9:30 p.m. on each of the following evenings: January 26, 1998, in Manhattan, Kansas; January 27, 1998, in Bethany, Missouri; January 28, 1998, in Ft. Dodge, Iowa; and January 29, 1998, in Sioux Falls, South Dakota. An informal open forum will precede each hearing from 5 to 6:30 p.m. each evening.

**ADDRESSES:** The January 26 hearing will be held at the Kansas State University Student Union, Main Ballroom, 17th Street and Anderson Avenue, Manhattan, Kansas; the January 27 hearing will be held at the Bethany Community Center, 103 N. 25th Street, Bethany, Missouri; the January 28 hearing will be held at Iowa Central Community College, Vo-Tech Building, Conference Rooms 1 and 2, 330 Avenue M, Fort Dodge, Iowa; and the January 29 hearing will be at the University of Sioux Falls, Chapel Auditorium-Jeschke Fine Arts Center, 1101 West 22nd Street, Sioux Falls, South Dakota.

Written comments and materials should be sent to: Field Supervisor, U.S. Fish and Wildlife Service, 315 Houston St., Suite E, Manhattan, Kansas 66502. Comments and materials received will be available for public inspection, by appointment, during normal business hours at the above address.

**FOR FURTHER INFORMATION CONTACT:** Vernon Tabor at the above address (785/539-3474).

**SUPPLEMENTARY INFORMATION:**

**Background**

Section 4(b)(5)(E) of the Act requires that a public hearing be held on the proposal to list the Topeka shiner as an endangered species, if requested within 45 days of the proposal's publication in the **Federal Register**. Public requests were received in the allotted time period from parties in Iowa, Kansas, Missouri, and South Dakota.

Anyone expecting to make an oral presentation at these hearings is encouraged to provide a written copy of their statement to the hearing officer prior to the start of the hearing. In the event there is a large attendance, the time allotted for oral statements may have to be limited. Oral and written statements receive equal consideration. There are no limits to the length of written comments presented at these hearings or mailed to the Service.

In order to accommodate the scheduled public hearings, the Service extends the public comment period. Written comments may be submitted from January 12, 1998 through February 9, 1998, to: Field Supervisor (see **ADDRESSES** section).

**Author**

The primary author of this document is Vernon Tabor (see **ADDRESSES** section).

**Authority**

The authority for this action is the Endangered Species Act, as amended (16 U.S.C. 1531).

Dated: December 18, 1997.

**Ralph O. Morgenweck,**

*Regional Director, Denver, Colorado.*  
[FR Doc. 97-33537 Filed 12-23-97; 8:45 am]

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