

participate in the 1992 and 1994 negotiation sessions that would like to participate in these negotiation sessions should inform the Department of their interest in participating, either by submitting a written comment, or by attending one of the regional hearings.

The negotiation process must be conducted in a timely manner so that the Secretary can issue the final regulations within 360 days of the date of enactment of the Amendments. Additionally, the Secretary must publish any final regulations under Title IV by November 1, 1999, as any final regulations not published by that date would not take effect until July 1, 2001, at the earliest. As a result of these time constraints, the Secretary anticipates a highly expedited process in the development of any proposed regulations.

The Secretary therefore invites advice and recommendations from interested parties concerning what regulations may be necessary to implement Title IV of the HEA. The Secretary also invites advice and recommendations concerning which regulated issues should be subjected to a negotiated rulemaking process. The Secretary further requests advice and recommendations concerning ways to prioritize the numerous issues in Title IV, in order to meet the statutory deadlines mentioned above. Additionally, the Secretary would like advice and recommendations concerning how the negotiated rulemaking process should be conducted, given the time available and the number of regulations that may need to be developed.

Under its principles for regulating, the Department of Education (Department) will regulate only when it improves the quality and equality of services to its customers—learners of all ages. The Department will regulate only when absolutely necessary, and then in the most flexible, most equitable, and least burdensome way possible. The Department will regulate if a demonstrated problem exists and cannot be resolved without regulation or if necessary to provide legally binding interpretation to resolve an ambiguity. The Department will not regulate if entities or situations to be regulated are so diverse that a uniform approach does more harm than good.

#### Regional Hearings

Participants are welcome to address issues relating to the implementation of Title IV of the HEA, either by attending the regional hearings or submitting written comments. Comments will be used to help develop any proposed

regulations, and will not result in any statutory changes. Individuals desiring to present comments at the hearings are encouraged to do so. It is likely that each participant choosing to make a statement will be limited to five minutes. Individuals interested in making oral statements will be able to sign up to make a statement beginning at 8:30 a.m. on the day of the hearing at the Department's regional hearing on-site registration table on a first-come, first-served basis. If additional time slots remain, individuals may be given additional time to speak. If no time slots remain, the Department has reserved one additional hour at the end of the first day, and one-half hour at the end of the second day for people who were not able to register to speak. The amount of time available will depend upon the number of individuals who request reservations. Speakers may also submit written comments. The dates, times, and locations of the regional hearings are listed below.

In addition, for anyone unable to attend any of the regional hearings, the Department will also accept, and strongly encourages, written comments. You should send your comments to Brian Kerrigan at the above address by December 15, 1998. If possible, please try to provide a copy of any written comments on a disk.

The Department has reserved a limited number of rooms at each of the following hotels at a special government per diem room rate. To reserve these rates, be certain to inform the hotel that you are attending the regional hearings with the Department of Education.

The hearing sites are accessible to individuals with disabilities. The Department will provide a sign language interpreter at each of the scheduled hearings. An individual with a disability who will need an auxiliary aid or service other than an interpreter to participate in the meeting (e.g., assistive listening device, or materials in an alternate format) should notify the contact person listed in this notice at least two weeks before the scheduled meeting date. Although the Department will attempt to meet a request received after that date, the requested auxiliary aid or service may not be available because of insufficient time to arrange it.

#### Dates, Times, and Locations of Regional Hearings

1. December 4, 1998, 9:00–5:00 p.m., December 5, 1998, 9:00 a.m.–12:00 p.m., Holiday Inn on the Hill, 415 New Jersey Ave., N.W., Washington, D.C.; 1–202–638–1616, and ask for reservations. Sleeping Room rate: \$126.00 (inclusive

of all taxes). Reservations must be made by November 13.

2. December 8, 1998, 9:00–5:00 p.m., December 9, 1998, 9:00 a.m.–12:00 p.m., The Regal Knickerbocker, Walton Place at North Michigan Avenue, Chicago, Illinois; 1–312–751–8100, and ask for reservations. Sleeping room rate: \$120.00 (inclusive of all taxes). Reservations must be made by November 16.

3. December 11, 1998, 9:00 a.m.–5:00 p.m., December 12, 1998, 9:00 a.m.–12:00 p.m., Hyatt Regency Los Angeles, 711 South Hope Street, Los Angeles, California; 1–213–683–1234, and ask for reservations. Sleeping room rate: \$124.26 (inclusive of all taxes). Reservations must be made by November 27.

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**Program Authority:** 20 U.S.C. 1090a. (Catalog of Federal Domestic Assistance Number does not apply.)

Dated: November 4, 1998.

**Richard W. Riley,**

*Secretary of Education.*

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[PA4081b; FRL–6184–3]

#### Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Approval of VOC and NO<sub>x</sub> RACT Determinations for Individual Sources

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA proposes to approve the State Implementation Plan (SIP) revision submitted by the Commonwealth of Pennsylvania for the

purpose of establishing volatile organic compound (VOC) and nitrogen oxides (NO<sub>x</sub>) reasonably available control technology (RACT) for 16 major sources located in Pennsylvania. In the Final Rules section of this **Federal Register**, EPA is approving the Commonwealth's SIP submittal on as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule and the accompanying technical support document. If no adverse comments are received in response to this action, no further activity is contemplated. If 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. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time. If adverse comments are received that do not pertain to all paragraphs subject to this rulemaking action, those paragraphs not affected by the adverse comments will be finalized in the manner described here. Only those paragraphs that receive adverse comments will be withdrawn in the manner described here.

**DATES:** Written comments must be received by December 7, 1998.

**ADDRESSES:** Written comments on this action should be addressed to David Campbell, Air Protection Division, Mailcode 3AP11, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103; and the Pennsylvania Department of Environmental Protection, Bureau of Air Quality Control, P.O. Box 8468, 400 Market Street, Harrisburg, Pennsylvania 17105.

**FOR FURTHER INFORMATION CONTACT:** David Campbell, (215) 814-2196, at the EPA Region III office or via e-mail at [campbell.dave@epamail.epa.gov](mailto:campbell.dave@epamail.epa.gov). While information may be requested via e-mail, comments must be submitted in writing to the above Region III address.

**SUPPLEMENTARY INFORMATION:** For additional information pertaining VOC and NO<sub>x</sub> RACT determinations for individual sources located in Pennsylvania, see the Direct Final rule located in the Rules and Regulations Section of this **Federal Register**.

Dated: October 27, 1998.

**Thomas Voltaggio,**

*Acting Regional Administrator, Region III.*

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[CA 102-0111; FRL-6185-9]

### Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, Bay Area Air Quality Management District

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing a limited approval and limited disapproval of revisions to the California State Implementation Plan (SIP). This revision concerns Rules 1, 2 and 4 of Regulation 2—Permits, for the Bay Area Air Quality Management District (BAAQMD or the "District"). This State Implementation Plan (SIP) revision was submitted by the State of California for the purpose of meeting the requirements of the Clean Air Act (CAA), as amended in 1990, with regard to new source review (NSR) in areas that have not attained the national ambient air quality standards (NAAQS). This SIP revision was submitted by the State to satisfy Federal requirements for an approvable nonattainment area NSR SIP for the District.

The intended effect of proposing a limited approval and limited disapproval of these rules is to strengthen the federally approved SIP by incorporating these updated provisions. EPA's final action on this proposal will incorporate the rules into the SIP. EPA is proposing a simultaneous limited approval and limited disapproval under provisions of the Act regarding EPA action on SIP submittals and general rulemaking authority. While strengthening the SIP, this revision contains deficiencies which the BAAQMD must address before EPA can grant full approval under Section 110(k)(3).

**DATES:** Comments must be received on or before December 7, 1998.

**ADDRESSES:** Comments may be mailed to: John Walser, Permits Office [AIR-3], Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901.

Copies of the state submittal and rules are available for public inspection at

EPA's Region IX office during normal business hours and at the following locations: Bay Area Air Quality Management District, 939 Ellis Street, San Francisco, CA 94109. California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 2020 "L" Street, Sacramento, CA 95812.

**FOR FURTHER INFORMATION CONTACT:** John Walser, Permits Office, [AIR-3], Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901, Telephone: (415) 744-1257.

## SUPPLEMENTARY INFORMATION:

### I. Applicability

The rules proposed for limited approval and limited disapproval into the California SIP are the District's Regulation 2 Permits, Rule 1 General Requirements, Rule 2 New Source Review, and Rule 4 Emissions Banking. These rules were submitted by the California Air Resources Board on behalf of the District to EPA on September 28, 1994.

### II. Background

The air quality planning requirements for nonattainment NSR are set out in part D of title 1 of the Clean Air Act. EPA has issued a "General Preamble" describing EPA's preliminary views on how EPA intends to review SIPs and SIP revisions submitted under part D, including those State submittals containing nonattainment NSR SIP requirements [see 57 FR 13498 (April 16, 1992) and 57 FR 18070 (April 28, 1992)]. Because EPA is describing its interpretations here only in broad terms, the reader should refer to the General Preamble for a more detailed discussion. EPA has also proposed regulations to implement the changes under the 1990 Amendments in the NSR provisions in parts C and D of title 1 of the Act. [See 61 FR 38249 (July 23, 1996)]. Upon final promulgation of those regulations, EPA will review those NSR SIP submittals on which it has already taken final action to determine whether additional SIP revisions are necessary.

Part D of the Clean Air Act (CAA), Sections 171 to 173, Section 182, Section 187, and Section 189, requires that States incorporate in their State Implementation Plans an acceptable permitting program for the construction and operation of new or modified major stationary sources in nonattainment areas. The statutory permit requirements for ozone nonattainment areas are generally contained in Section 173, and in subpart 2 of part D. These are the minimum requirements that States must include in an approvable