

Dated: December 6, 1999.

Stephen R. Colgate,

Assistant Attorney General for Administration.

Pursuant to the authority vested in the Attorney General by 5 U.S.C. 552a and delegated to me by Attorney General Order No. 793-78, it is proposed to amend part 16 of Title 28 of the Code of Federal Regulations as follows:

PART 16—[AMENDED]

1. The authority for Part 16 continues to read as follows:

Authority: 5 U.S.C. 301, 552, 552a, 552b(g) 553; 18 U.S.C. 4203(a)(1); 28 U.S.C. 509, 510, 534, 31 U.S.C. 3717, 9701.

2. It is proposed to amend 28 CFR 16.99 by adding paragraphs (k) and (l) to read as follows:

§ 16.99 Exemption of the Immigration and Naturalization Service Systems-limited access.

* * * * *

(k) The Attorney/Representative Complaint/Petition File (JUSTICE/INS-022) system of records is exempt under the provisions of 5 U.S.C. 552a (j)(2) from subsections (c)(3) and (4); (d); (e)(1); (2), (3), (5), and (8); and (g); but only to the extent that this system contains records within the scope of subsection (j)(2), and to the extent that records in this system are subject to exemption therefrom. In addition, this system of records is also exempt in part under the provisions of 5 U.S.C. 552a (k)(2) from subsections (c)(3); (d); and (e)(1), but only to the extent that this system contains records within the scope of subsection (k)(2), and to the extent that records in this system are subject to exempt therefrom.

(l) The following justification apply to the exemptions from particular subsections:

(1) From subsection (c)(3) for reasons stated in paragraph (h)(1) of this section.

(2) From subsection (c)(4) for reasons stated in paragraph (h)(2) above.

(3) From the access and amendment provisions of subsection (d) for reasons stated in paragraph (h)(3) above.

(4) From subsection (e)(1) for reasons stated in paragraph (h)(4) above.

(5) From subsection (e)(2) for reasons stated in paragraph (h)(5) above.

(6) From subsection (e)(3) for reasons stated in paragraph (h)(6) above.

(7) From subsection (e)(5) for reasons stated in paragraph (h)(7) above.

(8) From subsection (e)(8) for reasons stated in paragraph (h)(8) above.

(9) From subsection (g) to the extent that their system is exempt from the

access and amendment provisions of subsection (d).

[FR Doc. 99-32614 Filed 12-15-99; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Forest Service

36 CFR Parts 217 and 219

National Forest System Land and Resource Management Planning

AGENCY: Forest Service, USDA.

ACTION: Proposed rule extension of public comment period.

SUMMARY: On October 5, 1999, the Forest Service published a proposed rule to guide land and resource management planning on national forests and grasslands (64 FR 54074). The public comment period for this proposed rule is scheduled to end on January 4, 2000. In response to requests, the Forest Service is extending the public comment period for an additional 30 days.

DATES: Comments must be submitted in writing and received by February 3, 2000.

ADDRESSES: Send written comments on the proposed planning rule to the CAET-USDA, Attn. Planning Rule, Forest Service, USDA 200 East Broadway, Room 103, Post Office Box 7669, Missoula, MT 59807; or via email to planreg/wo__caet@fs.fed.us; or via facsimile to (406) 329-3021.

Comments, including names and addresses when provided, are subject to public inspection and copying. The public may inspect comments received on this proposed rule in the Office of Deputy Chief, Third Floor, Southwest Wing, Yates Building, 14th and Independence Ave., SW, Washington, DC between the hours of 8:30 a.m. and 4 p.m.

FOR FURTHER INFORMATION CONTACT: Bob Cunningham, Ecosystem Management Coordination Staff, telephone: (202) 205-7820.

Dated: December 9, 1999.

Hilda Diaz-Soltero,

Associate Chief for Natural Resources.

[FR Doc. 99-32525 Filed 12-15-99; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Forest Service

36 CFR Part 251

RIN 0596-AB36

Land Uses; Special Uses; Recovery of Costs for Processing Special Use Applications and Monitoring Compliance With Special Use Authorizations; Meetings

AGENCY: Forest Service, USDA.

ACTION: Proposed rule; meetings.

SUMMARY: On November 24, 1999, the Department of Agriculture, Forest Service, published proposed regulations for recovering costs associated with processing applications for special use authorizations to use and occupy National Forest System lands and monitoring compliance with these special use authorizations. The provisions of this proposed rule would apply to applications and authorizations for use of National Forest System lands. The Forest Service is scheduling seven public meetings to present information on the proposed cost recovery regulations.

DATES: The meetings are scheduled from January 4 through January 13, 2000. Comments must be received in writing by January 24, 2000.

ADDRESSES: The meetings will be held at the locations and times listed in the table under **SUPPLEMENTARY INFORMATION**.

Send written comments to Director, Lands Staff, 2720, 4th Floor-South, Sidney R. Yates Federal Building, Forest Service, USDA, P.O. Box 96090, Washington, DC 20090-6090. Submit electronic comments (as an ASCII file if possible) to: gtlands4/wo@fs.fed.us.

FOR FURTHER INFORMATION CONTACT: Randy Karstaedt, Lands Staff, (202) 205-1256 or Alice Carlton, Recreation, Heritage, and Wilderness Resources Staff, (202) 205-1145.

SUPPLEMENTARY INFORMATION: The seven public meetings will provide an opportunity for the public to learn about the proposed regulations for recovery of costs for processing special use applications and monitoring compliance with special use authorizations. Participants will be briefed on the major themes of the proposed regulations, which were published in the **Federal Register** on November 24, 1999 (64 FR 66342).

The meetings will be held at the locations and times listed in the following table:

Date	City	Location	Time
Tuesday, January 4	Washington, DC	Sydney Yates Federal Building, 14th & Independence, SW, Second Floor, Roosevelt Room.	10 a.m.–12 noon
Thursday, January 6	Manchester, NH	The Highlander Inn, Coldwell Room, 2 Highlander Way	1–3 p.m.
Thursday, January 6	Seattle, WA	Hilton Seattle Airport, Columbia West Room 17620 Pacific Highway South.	1–3 p.m.
Monday, January 10	Atlanta, GA	USFS Southern Regional Office, 1720 Peachtree Rd, NW ..	1–3 p.m.
Tuesday, January 11	Sacramento, CA	Holiday Inn Capitol Plaza, Fresno Room 300 J Street	1–3 p.m.
Wednesday, January 12	Salt Lake City, UT	Hilton Hotel, 150 West, 500 South	10 a.m.–12 noon
Thursday, January 13	Denver, CO	Marriott Denver West, 1717 Denver West Blvd. Golden, CO	1–3 p.m.

Dated: December 10, 1999.

Hilda Diaz-Soltero,

Associate Chief for Natural Resources.

[FR Doc. 99–32664 Filed 12–15–99; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[AL–9927; FRL–6503–9]

Approval and Promulgation of State Implementation Plans (SIP) for the State of Alabama—Call for 1-hour Attainment Demonstration for the Birmingham, Alabama Marginal Ozone Nonattainment Area

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing a State Implementation Plan (SIP) call to require the State of Alabama to submit a 1-hour ozone attainment SIP for the Birmingham marginal nonattainment area within six months of final action on the SIP call. EPA is proposing to issue this SIP call, because violations of the 1-hour ozone national ambient air quality standards (NAAQS) have continued to be recorded in the Birmingham area after the required attainment date of November 15, 1993. Exceedances of the 1-hour ozone NAAQS occurred in the Birmingham area during the 1995, 1996, 1997, and 1998 ozone seasons. There are more than 3 exceedances of the 1-hour ozone NAAQS during the most recent 3 year period (96–98), indicating continuing violations of the NAAQS. EPA is authorized under section 110(k)(5) of the Clean Air Act (CAA) to issue this SIP call requiring the State of Alabama to develop a 1-hour ozone attainment SIP revision for the Birmingham area. If the State of Alabama fails to submit an attainment SIP in response to this SIP call, EPA will issue a finding that the State failed to submit a required SIP pursuant to section 179(a) of the CAA. The finding would start the clocks for

mandatory sanctions and development of a federal implementation plan (FIP).

DATES: Comments on this proposed action must be received in writing by January 18, 2000.

ADDRESSES: Comments may be mailed to Kimberly Bingham at the EPA Region 4 address listed below.

Environmental Protection Agency,
Region 4 Air Planning Branch, Atlanta
Federal Center, 61 Forsyth Street, SW,
Atlanta, Georgia 30303–3104

FOR FURTHER INFORMATION CONTACT:

Kimberly Bingham, Regulatory Planning Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, Region 4, Environmental Protection Agency, Atlanta Federal Center, 61 Forsyth Street, SW, Atlanta, Georgia 30303. The telephone number is (404) 562–9038.

SUPPLEMENTARY INFORMATION: The supplemental information is organized in the following order:

- I. Background
- II. Why EPA is proposing a SIP call for the Birmingham marginal ozone nonattainment area.
- III. What happens if the State of Alabama does not submit a SIP responding to this SIP call?

I. Background

On November 15, 1990, Jefferson and Shelby Counties, Alabama, were designated as marginal ozone nonattainment areas. Section 182(f)(1)(A) of the Clean Air Act (CAA) provides for an exemption for New Source Review offsets for nitrogen oxides (NO_x) in ozone nonattainment areas where a state shows and EPA agrees that additional NO_x reductions would not contribute to attainment of the ozone standard in that area. In 1992, the Alabama Department of Environmental Management (ADEM) requested and received from EPA a NO_x exemption under this statutory provision for the Birmingham marginal ozone nonattainment area. At the time of the request, the Birmingham area was required to attain the NAAQS for ozone by November 15, 1993. Given this deadline, offsets from new sources of NO_x applying for a permit to locate in

the Birmingham area after November 15, 1992, would not in practice have been achieved prior to the expected ozone attainment date. Based on this information, EPA determined that the State of Alabama met the requirements of sections 182(a) and 182(f) of the CAA for marginal nonattainment areas. Furthermore, EPA determined that the application of NO_x provisions would not have contributed to the timely attainment of the ozone standard and subsequently approved the NO_x exemption for the Birmingham area. (58 FR 45439).

Section 107(d)(3)(E) of the CAA, set forth five specific requirements that states must include in a redesignation request in order for EPA to redesignate an area from nonattainment to attainment. The EPA provided guidance on redesignations in the General Preamble for the Implementation of the CAA, 57 FR 13498 (April 16, 1992), supplemented at 57 FR 18070 (April 28, 1992). The primary memorandum providing further guidance with respect to section 107(d)(3)(E) of the amended Act is dated September 4, 1992, and issued by the Director, Air Quality Management Division, Subject: Procedures for Processing Requests to Redesignate Areas to Attainment (Calcagni Memorandum).

The State of Alabama through the Alabama Department of Environmental Management (ADEM) submitted a request for redesignation of the Birmingham marginal ozone nonattainment area to attainment on March 16, 1995. The request included information showing that the Birmingham area had three years of air quality attainment data from 1990–1993, thus meeting the requirement for the area to attain the 1-hour ozone NAAQS by November 15, 1993. The area continued to maintain the ozone NAAQS through 1994. The submittal was rendered administratively complete on April 11, 1995. Supplemental information needed for the submittal to be approvable initially requested from ADEM in a February 15, 1995, letter addressing the prehearing submittal, was submitted on July 21, 1995. A direct