

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 81**

[AZ-001-BU FRL-6183-8]

Clean Air Act Reclassification; Arizona-Phoenix Nonattainment Area; Ozone; Extension of Plan Submittal Deadline**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Proposed rule.

SUMMARY: On November 6, 1997, EPA published a rule announcing our finding that the Phoenix, Arizona, metropolitan area had failed to attain the 1-hour national ambient air quality standard for ozone as required by the Federal Clean Air Act (CAA or the Act). This finding resulted in the area being reclassified by operation of law from a "moderate" to a "serious" ozone nonattainment area. In the rule, we also set a deadline of December 8, 1998 for Arizona to submit the revisions to its implementation plan that are needed to meet the Act's requirements for serious ozone nonattainment areas. Here, we are proposing a short extension of that deadline to March 22, 1999.

DATES: Comments may be submitted in writing until December 7, 1998.

ADDRESSES: Please address any comments you may have on this document to Frances Wicher at the address listed below. We have placed information related to this proposed action into a docket. You may look at the docket during normal business hours at the U.S. Environmental Protection Agency, Region 9, Office of Air Planning, 17th floor, 75 Hawthorne Street, San Francisco, California 94105.

We have also placed a copy of this document in the air programs section of our website at www.epa.gov/region09/air.

FOR FURTHER INFORMATION CONTACT: Frances Wicher, Office of Air Planning (AIR-2), U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, California 94105. (415) 744-1248 or wicher.frances@epamail.epa.gov.

SUPPLEMENTARY INFORMATION:**Background***What is Being Proposed in This Action?*

EPA is proposing to extend by three and one-half months, until March 22, 1999, the date by which the State of Arizona must submit the revisions to the Phoenix metropolitan area's state implementation plan (SIP) that are needed to meet the Clean Air Act's

requirements for serious ozone nonattainment areas. The current submittal date is December 8, 1998.

We have discussed the reasons for this submittal date extension in a direct final rule which you can find in the Rules Section of this **Federal Register**.

We are extending the submittal deadline for the Phoenix-area serious ozone plan in a direct final rule without first proposing the rule and providing an opportunity for public comment. We are finalizing this rule directly because we believe this is noncontroversial and do not expect to receive unfavorable comments on it. If we do not receive unfavorable comments, we will take no further action on this proposed rule. If we do receive unfavorable comments, then we will withdraw the final rule and inform the public that the rule will not take effect. We will then address all public comments in a later final rule. Since there will not be a second comment period on this action, any member of the public who wants to comment on it should do so at this time.

Authority: 42 U.S.C. 7401 *et seq.*

Date Signed: October 24, 1998.

Felicia Marcus,

Regional Administrator, Region IX.

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ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 82**

[FRL-6191-5]

Protection of Stratospheric Ozone: Allocation of 1999 Essential-Use Allowances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed rulemaking.

SUMMARY: With this action, EPA is proposing the allocation of essential-use allowances for the 1999 control period. The United States nominated specific uses of controlled ozone-depleting substances (ODS) as essential for 1999 under the Montreal Protocol on Substances that Deplete the Ozone Layer (Protocol). The Parties to the Protocol subsequently authorized specific quantities of ODS for 1999 for the uses nominated by the United States. Essential-use allowances permit a person to obtain controlled ozone-depleting substances as an exemption to the January 1, 1996 regulatory phaseout of production and import. Essential-use allowances are allocated to a person for exempted production or importation of

a specific quantity of a controlled substance solely for the designated essential purpose.

DATES: Written comments on this proposed rule must be received on or before December 21, 1998, unless a public hearing is requested. Comments must then be received on or before 30 days following the public hearing. Any party requesting a public hearing must notify the Stratospheric Ozone Protection Hotline listed below by 5 p.m. Eastern Standard Time on November 30, 1998. If a hearing is held, EPA will publish a document in the **Federal Register** announcing the hearing information.

ADDRESSES: Comments on this rulemaking should be submitted in duplicate (two copies) to: Air Docket No. A-92-13, U.S. Environmental Protection Agency, 401 M Street, SW, Room M-1500, Washington, DC, 20460. Inquiries regarding a public hearing should be directed to the Stratospheric Ozone Protection Hotline at 1-800-269-1996.

Materials relevant to this rulemaking are contained in Docket No. A-92-13. The Docket is located in room M-1500, First Floor, Waterside Mall at the address above. The materials may be inspected from 8 a.m. until 4 p.m. Monday through Friday. A reasonable fee may be charged by EPA for copying docket materials.

FOR FURTHER INFORMATION CONTACT: The Stratospheric Ozone Protection Hotline at 1-800-296-1996 or Tom Land, U.S. Environmental Protection Agency, Stratospheric Protection Division, Office of Atmospheric Programs, 6205J, 401 M Street, SW., Washington, DC, 20460, 202-564-9185.

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I. Background

The Montreal Protocol on Substances that Deplete the Ozone Layer (Protocol)