(ii) Flood hazard and risk to lives and property;

(iii) Effects on natural and beneficial floodplain values, such as water quality maintenance, groundwater recharge, and agriculture; and

(iv) Possible measures to minimize harm to, or impact on, the floodplain.

(d) *Reevaluation.* After the above steps have been followed, if the determination is that there appears to be no practicable alternative to constructing in a floodplain, a further review of alternatives must be conducted by the facilities organization in conjunction with the operations organization requesting the construction of the facility. The further review of alternatives must be conducted by the operations organization for projects within the delegated authority of the Vice President, Area Operations.

(e) *Final public notice.* As a result of the reevaluation, if it is determined that there is no practicable alternative to constructing in a floodplain, public notice shall be provided as soon as possible for the proposed action. The notice should be publicized and should include:

(1) Identification of the project's location;

(2) Provision for a 30-day public comment period before irrevocable action is taken by the Postal Service; and

(3) Name and complete address of a postal contact person responsible for providing further information on the decision to proceed with a facility action or construction project in a floodplain. Upon request, that person shall provide further information as follows:

(i) A description of why the proposed action must be located in a floodplain;

(ii) A listing of alternative actions considered in making the determination; and

(iii) A statement indicating whether the action conforms to applicable state and local floodplain protection standards.

(f) *Distribution.* The above public notice will be sent to appropriate officials, local newspaper reporters, and other parties who express interest in the project.

(g) *NEPA coordination.* If either an Environmental Impact Statement or an Environmental Assessment is required under the Postal Service's National Environmental Policy Act (NEPA) regulations, the above review procedures must be incorporated into and evaluated in that document.

**§ 776.6 Design requirements for construction.**

If structures impact, are located in, or support development in a floodplain, construction must conform, at a minimum, to the standards and criteria of the National Flood Insurance Program (NFIP), except where those standards are demonstrably inappropriate for postal purposes.

**§ 776.7 Lease, easement, right-of-way, or disposal of property to non-federal parties.**

When postal property in floodplains is proposed for lease, easement, right-of-way, or disposal to non-federal public or private parties, the Postal Service shall:

(a) Reference in the conveyance document that the parcel is located in a floodplain and may be restricted in use pursuant to federal, state, or local floodplain regulations; or

(b) Withhold the property from conveyance.

## Subpart C—Wetlands Protection

**§ 776.8 Scope.**

(a) The regulations in this subpart are applicable to the following proposed postal facility actions located in a wetland:

(1) New construction, owned or leased; or

(2) Construction projects at an existing facility that would alter the external configuration of the facility.

(b) These procedures are not applicable to the following postal facility actions:

(1) Construction of foot and bike trails or boardwalks, including signs, the primary purposes of which are public education, interpretation, or enjoyment of wetland resources;

(2) Construction at existing postal facilities pursuant to the Architectural Barriers Act or postal accessibility standards;

(3) Any facility construction project deemed necessary to comply with federal, state, or local health, sanitary, or safety code standards to ensure safe working conditions;

(4) Construction of facilities that are functionally dependent on water, such as piers, docks, or boat ramps; or

(5) Maintenance, repair, or renovation of existing facilities.

**§ 776.9 Review procedures.**

(a) *Early public notice.* If a facility action at the contending site(s) could require construction in a wetland, public notice must be provided.

(b) *Finding of no practicable alternative.* The Postal Service shall avoid construction located in a wetland unless it issues a finding of no practicable alternative. The facilities organization, in conjunction with the operations organization, or, for projects within the delegated authority of the Vice President, Area Operations, the operations organization, shall make a written determination that:

(1) There is no practicable alternative to such construction; and

(2) The proposed action includes all practicable measures to minimize harm to wetlands.

(c) *NEPA coordination.* If either an Environmental Impact Statement or an Environmental Assessment is required under the Postal Service's National Environmental Policy Act (NEPA) regulations, the above review procedures must be incorporated into and evaluated in that document.

**§ 776.10 Lease, easement, right-of-way, or disposal of property to non-federal parties.**

When postal-owned wetlands or portions of wetlands are proposed for lease, easement, right-of-way, or disposal to non-federal public or private parties, the Postal Service shall:

(a) Reference in the conveyance document that the parcel contains wetlands and may be restricted in use pursuant to federal, state, or local wetlands regulations; or

(b) Withhold the property from conveyance.

**Stanley F. Mires,**

*Chief Counsel, Legislative.*

[FR Doc. 99–22823 Filed 9–1–99; 8:45 am]

BILLING CODE 7710–12–P

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## ENVIRONMENTAL PROTECTION AGENCY

## 40 CFR Part 52

**[MA–35–1–6659b; A–1–FRL–6425–3]**

## Approval and Promulgation of Air Quality Implementation Plans; Massachusetts; Reasonably Available Control Technology for Major Stationary Sources of Nitrogen Oxides and Nitrogen Oxide Requirements at Municipal Waste Combustors

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

**ACTION:** Proposed rule.

**SUMMARY:** The EPA is proposing to approve State Implementation Plan (SIP) revisions submitted by the State of Massachusetts. These revisions establish and require the implementation of reasonably available control technology (RACT) for major stationary sources of nitrogen oxides (NOx). Additionally, Massachusetts has requested SIP approval of NOx emission limits, monitoring, recordkeeping, and

reporting requirements at municipal waste combustors. In the Final Rules section of this **Federal Register**, EPA is approving the State's SIP submittals 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. 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.

**DATES:** Written comments must be received on or before October 4, 1999.

**ADDRESSES:** Comments may be mailed to Susan Studlien, Deputy Director, Office of Ecosystem Protection (mail code CAA), U.S. Environmental Protection Agency, Region I, One Congress Street, Suite 1100, Boston, MA 02114–2023. Copies of the State submittal and EPA's technical support document are available for public inspection during normal business hours, by appointment at the Office of Ecosystem Protection, U.S. Environmental Protection Agency, Region I, One Congress Street, 11th floor, Boston, MA and the Division of Air Quality Control, Department of Environmental Protection, One Winter Street, 8th Floor, Boston, MA 02108.

**FOR FURTHER INFORMATION CONTACT:** Steven A. Rapp, at (617) 918–1048, or by e-mail at: Rapp.Steve@EPAMAIL.EPA.GOV.

**SUPPLEMENTARY INFORMATION:** For additional information, see the direct final rule which is located in the Rules section of this **Federal Register**.

Dated: August 10, 1999.

**John P. DeVillars,**

*Regional Administrator, Region I.*

[FR Doc. 99–22186 Filed 9–1–99; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

## 40 CFR Part 52

**[CO–001–0031; FRL–6432–7]**

## Approval and Promulgation of State Implementation Plans; Colorado; Revisions to Opacity and Sulfur Dioxide Requirements

**AGENCY:** Environmental Protection Agency (EPA).2

**ACTION:** Proposed rule.

**SUMMARY:** On May 27, 1998, the Governor of Colorado submitted revisions to the State Implementation Plan (SIP). Specifically, the State submitted revisions to Colorado Regulation No. 1 to provide coal-fired electric utility boilers with certain exemptions from the State's pre-existing limitations on opacity and sulfur dioxide ($SO_2$) emissions during periods of startup, shutdown, and upset. The EPA is proposing to disapprove these revisions to the Colorado SIP because the revisions are not consistent with the Clean Air Act (Act) and applicable Federal requirements. The effect of this disapproval will be that the previous version of Colorado Regulation No. 1 (which did not contain any exemptions from the $SO_2$ emission limitations and which generally provided for a 30% opacity limit during periods of startup, as well as fire building, cleaning of fire boxes, soot blowing, process modification, or adjustment of control equipment) will remain part of the Federally enforceable SIP.2

**DATES:** Written comments must be received on or before October 4, 1999.2

**ADDRESSES:** Written comments may be mailed to Richard R. Long, Director, Air and Radiation Program, Mailcode 8P–AR, Environmental Protection Agency (EPA), Region VIII, 999 18th Street, Suite 500, Denver, Colorado 80202–2466. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air and Radiation Program, Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500, Denver, Colorado 80202–2466. Copies of the State documents relevant to this action are available for public inspection at the Air Pollution Control Division, Colorado Department of Public Health and Environment, 4300 Cherry Creek Drive South, Denver, Colorado 80222–1530.2

**FOR FURTHER INFORMATION CONTACT:** Vicki Stamper, EPA Region VIII, (303) 312–6445.2

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### I. Background of State Submittal

On May 27, 1998, the Governor of Colorado submitted revisions to the Colorado SIP. The SIP submittal consisted of revisions to Colorado Regulation No. 1 to provide exemptions from the existing limitations on opacity and $SO_2$ emissions for coal-fired electric utility boilers during periods of startup, shutdown, and upset.

These revisions were adopted by the Colorado Air Quality Control Commission (AQCC) on December 23, 1996. The revisions became effective at the State level on March 2, 1997 for most sources. However, for coal-fired electric utility boilers located within the Denver Metro PM–10 non-attainment area, the AQCC specified that the provisions will not become State-effective until EPA issues a final rule adopting the revisions to Regulation No. 1 as a permanent part of the SIP.

The following explains in detail the revisions to Regulation No. 1 that the Governor submitted on May 27, 1998:

#### *A. Revisions to Opacity Standards*

Prior to these revisions to Regulation No. 1, sections II.A.1. and 4. of Regulation No. 1 generally required all sources to meet a 20% opacity limit, except during periods of fire building, cleaning of fire boxes, soot blowing, startup, process modification, or adjustment of control equipment. During these periods, a 30% opacity limit applied, except the regulation allowed one 6-minute period in excess of 30% opacity in any sixty consecutive minutes. (In both the revised Regulation No. 1 and the pre-existing Regulation No. 1, compliance with the opacity limits is based on a six-minute average.) The revisions to Regulation No. 1 that the Governor submitted on May 27, 1998 amended these opacity requirements for coal-fired electric utility boilers. Specifically, the State