

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 52**

[TX-115-1-7434b; FRL-6504-3]

**Approval and Promulgation of Implementation Plans; Texas; Control of Air Pollution From Volatile Organic Compounds, Miscellaneous Industrial Sources, Cutback Asphalt****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Proposed rule.

**SUMMARY:** The EPA is proposing to take direct final action on revisions to the Texas State Implementation Plan (SIP). The revisions concern Control of Air Pollution from Volatile Organic Compounds (VOC), Miscellaneous Industrial Sources, specifically, asphaltic operations in the Nueces County and the ozone nonattainment areas. The EPA is proposing this revision to revise emissions of VOCs in accordance with the requirements of the Federal Clean Air Act.

In the "Rules and Regulations" section of this **Federal Register**, EPA is approving the State's SIP revision as a direct final rule without prior proposal because the EPA views this as a noncontroversial revision and anticipates no adverse comment. The EPA has explained its reasons for this approval in the preamble to the direct final rule. If EPA receives no relevant adverse comments, the EPA will not take further action on this proposed rule. If EPA receives relevant adverse comment, EPA will withdraw the direct final rule and it will not take effect. The EPA will address all public comments in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this action. Any parties interested in commenting must do so at this time.

**DATES:** Written comments must be received by January 21, 2000.

**ADDRESSES:** Written comments should be addressed to Mr. Thomas H. Diggs, Chief, Air Planning Section (6PD-L), at the EPA Region 6 Office listed below. Copies of documents relevant to this action are available for public inspection during normal business hours at the following locations. Anyone wanting to examine these documents should make an appointment with the appropriate office at least two working days in advance.

Environmental Protection Agency, Region 6, Air Planning Section (6PD-L), 1445 Ross Avenue, Dallas, Texas 75202-2733.

Texas Natural Resource Conservation Commission, Office of Air Quality, 12124 Park 35 Circle, Austin, Texas 78753.

**FOR FURTHER INFORMATION CONTACT:** Mr. Alan Shar, Air Planning Section (6PD-L), EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733, telephone (214) 665-6691.

**SUPPLEMENTARY INFORMATION:** This document concerns Control of Air Pollution from VOC, Miscellaneous Industrial Sources, specifically, asphaltic operations in the Nueces County and the ozone nonattainment areas. For further information, please see the information provided in the direct final action that is located in the "Rules and Regulations" section of this **Federal Register** publication.

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

Dated: November 19, 1999.

**Jerry Clifford,**

*Acting Regional Administrator, Region 6.*

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[NH043-7170B; A-1-FRL-6514-1]

**Approval and Promulgation of Air Quality Implementation Plans; New Hampshire and Rhode Island; Approval of National Low Emission Vehicle Program****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve State Implementation Plan (SIP) revisions submitted by both the States of New Hampshire and Rhode Island on August 16, 1999 and November 17, 1999, respectively, providing that the national low emission vehicle (National LEV) be an acceptable compliance option for new motor vehicles sold in each State. In New Hampshire's case, they are providing a commitment by rule to remain part of the National LEV program, and not adopt a California low emission vehicle (CAL LEV) program for the duration of National LEV. In the case of Rhode Island, they have modified their CAL LEV rule to allow the national low emission vehicle program to be a compliance alternative under their rule. Auto manufacturers have agreed to sell these cleaner vehicles throughout each of these States for the duration of the National LEV program. These SIP revisions are

required as part of the agreement between States and automobile manufacturers to ensure the continuation of this program to bring clean cars throughout the country, beginning with 1999 model year vehicles.

EPA is soliciting public comments on the issues discussed in this proposal or on other relevant matters. These comments will be considered before EPA takes final action. Interested parties may participate in the Federal rulemaking procedure by submitting written comments to the EPA Regional office listed in the **ADDRESSES** section of this action.

**DATES:** Written comments must be received on or before January 21, 2000.

**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. 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 Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 401 M Street, S.W., (LE-131), Washington, D.C. 20460. In addition, the information for each respective State is available at the Air Resources Division, Department of Environmental Services, 6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095, and Division of Air and Hazardous Materials, Department of Environmental Management, 291 Promenade Street, Providence, RI 02908-5767.

**FOR FURTHER INFORMATION CONTACT:** Robert C. Judge, (617) 918-1045.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

On January 7, 1998, (63 FR 926) the Environmental Protection Agency (EPA) published a final rule outlining a voluntary nationwide clean car program, designed to reduce smog and other pollution from new motor vehicles. The National LEV regulations allow auto manufacturers to commit to meet tailpipe standards for cars and light-duty trucks that are more stringent than EPA can mandate for the model years affected. The regulations provided that the program would come into effect only if northeastern States and the auto manufacturers voluntarily signed up for it. On March 9, 1998 (63 FR 11374), EPA found that nine northeastern States and