

1978 (43 FR 3115). The last amendment to 33 CFR 207.718 was April 4, 1991 (56 FR 13765). This proposed rule is not a major rule for the purposes of Executive Order 12866. As required by the Regulatory Flexibility Act, the Corps of Engineers certifies that this proposed rule would not have a significant impact on small business entities.

List of Subjects in 33 CFR Part 207

Navigation (water), Vessels, Water transportation.

For the reasons set out in the preamble, Title 33, Chapter II of the Code of Federal Regulations is proposed to be amended, as follows:

PART 207—NAVIGATION REGULATIONS

1. The authority citation for Part 207 continues to read as follows:

Authority: 40 Stat. 266 (33 U.S.C. 1).

2. Section 207.718 is amended by removing and reserving paragraph (v) and revising paragraphs (w)(1), (w)(4), (w)(5), (w)(6), (w)(7), and (w)(8) to read as follows.

§ 207.718 Navigation locks and approach channels, Columbia and Snake Rivers, Oreg. and Wash.

* * * * *

(w) * * *

(1) *At Bonneville Dam.* The water restricted to only Government vessels are described as all waters of the Columbia River and Bradford Slough within 1,000 feet above the first powerhouse, spillway, and second powerhouse (excluding the new navigation lock channel) and all waters below the first powerhouse, spillway, second powerhouse, and old navigation lock. The downstream boundary commences from the westernmost tip of Robins Island on the Oregon side of the river and runs in a South 65 degrees West direction a distance of approximately 2,100 feet to a point 50 feet upstream of the Hamilton Island Boat Ramp on the Washington Shore. Signs will designate the restricted areas. The approach channel to the New Navigation Lock is outside the restricted area.

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(4) *At McNary Dam.* The waters restricted to all vessels, except to Government vessels, are described as all waters commencing at the upstream end of the Oregon fish ladder thence running in the direction of 39° 28' true for a distance of 540 yards; thence 7° 49' true for a distance 1,078 yards; thence 277° 10' for a distance of 468 yards to the upstream end of the navigation lock guidewall. The downstream limits

commence at the downstream end of the navigation lock guidewall thence to the south (Oregon) shore at right angles and parallel to the axis of the dam.

(5) *At Ice Harbor Lock and Dam.* The waters restricted to all vessels except, Government vessels, are described as all waters commencing at the upstream of the navigation lock guidewall; thence running in the direction of 90° 10' true for a distance of 137 yards; thence 167° 18' true or a distance of 693 yards to the south shore. The downstream limits commence at the downstream end of the guidewall; thence to the south shore, at right angles and parallel to the axis of the dam.

(6) *At Lower Monumental Lock and Dam.* The waters restricted to all vessels, except Government vessels, are described as all waters commencing at the upstream of the navigation lock guidewall and running in a direction of 46° 25' true for a distance of 344 yards; thence 289° 58' true for a distance of 712 yards to the north shore. The downstream limits commence at the downstream end of the navigation lock guidewall; thence to the south shore, at right angles and parallel to the axis of the dam.

(7) *At Little Goose Lock and Dam.* The waters restricted to all vessels, except Government vessels, are described as all waters commencing at the upstream of the navigation lock guidewall and running in a direction of 60° 37' true for a distance of 676 yards; thence 345° 26' true for a distance of 620 yards to the north shore. The downstream limits commence 512 yards downstream and at right angles to the axis of the dam on the south shore; thence parallel to the axis of the dam to the north shore.

(8) *At Lower Granite Lock and Dam.* The waters restricted to all vessels, except Government vessels, are described as all waters commencing at the upstream of the navigation lock guidewall thence running in the direction of 131° 31' true or a distance of 608 yards; thence 210° 46' true for a distance of 259 yards to the south shore. The downstream limits commence at the downstream end of navigation lock guidewall; thence to the south shore, at right angles and parallel to the axis of the dam.

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Dated: October 5, 1999.

Joseph L. Gilbreath,

Colonel, U.S. Army, Assistant Director of Civil Works, Executive Operations/Planning.

[FR Doc. 99-26526 Filed 10-12-99; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 81

[TX-112-1-7421b; FRL-6449-6]

Approval and Promulgation of Air Quality Implementation Plans; Texas: Redesignation Request and Maintenance Plan for the Collin County Lead Nonattainment Area

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rulemaking.

SUMMARY: We are proposing to approve a request from the Texas Natural Resource Conservation Commission to redesignate Collin County, Texas, to attainment for the lead National Ambient Air Quality Standard (NAAQS). This request was submitted to us by the Governor on August 31, 1999. The request was accompanied by a demonstration from TNRCC that continued compliance with the lead NAAQS can reasonably be expected. The maintenance plan also includes a summary of the measured lead concentrations from 1995-1998, an inventory of the annual lead emissions in the County, the permitted and enforceable conditions responsible for continued compliance with the lead NAAQS, and contingency measures, should a future violation occur. In the final rules section of this **Federal Register**, we are approving this redesignation request and maintenance plan as a direct final rule without prior proposal because we view this as a noncontroversial action and anticipate 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 rule, no further activity is contemplated in relation to this rule. If we receive 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. We will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time. Please see the direct final rule of this action located elsewhere in today's **Federal Register** for a detailed description of the Texas State Plan.

DATES: Comments must be received by November 12, 1999.

ADDRESSES: You should address comments to Lt. Mick Cote, EPA Region 6, Air Planning Section (6PD-L), 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202. Copies of all materials

considered in this rulemaking may be examined during normal business hours at the following locations: EPA Region 6 offices, 1445 Ross Avenue, Suite 700, Dallas, Texas 75202, and at the Texas Natural Resource Conservation Commission offices, 12124 Park 35 Circle, Austin, Texas 78753.

FOR FURTHER INFORMATION CONTACT: Lt. Mick Cote at (214) 665-7219.

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

Dated: September 24, 1999.

Pamela Phillips,

Acting Regional Administrator, Region 6.

[FR Doc. 99-26330 Filed 10-12-99; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 261

[SW-FRL-6455-2]

Hazardous Waste Management System; Proposed Exclusion for Identifying and Listing Hazardous Waste

AGENCY: Environmental Protection Agency (EPA)

ACTION: Proposed rule and request for comment.

SUMMARY: The EPA (also, "the Agency" or "we" in this preamble) is proposing to grant a petition submitted by General Motors Corporation, Lansing Car Assembly—Body Plant (GM) in Lansing, Michigan, to exclude (or "delist") certain solid wastes generated by its wastewater treatment plant (WWTP) from the lists of hazardous wastes contained in Subpart D of Part 261.

GM submitted the petition under 40 CFR 260.20 and 260.22(a). Section 260.20 allows any person to petition the Administrator to modify or revoke any provision of §§ 260 through 266, 268 and 273. Section 260.22 (a) specifically provides generators the opportunity to petition the Administrator to exclude a waste on a "generator specific" basis from the hazardous waste lists.

The Agency has tentatively decided to grant the petition based on an evaluation of waste-specific information provided by GM. This proposed decision, if finalized, conditionally excludes the petitioned waste from the requirements of hazardous waste regulations under the Resource Conservation and Recovery Act (RCRA).

We conclude that GM's petitioned waste is nonhazardous with respect to the original listing criteria.

DATES: We will accept public comments on this proposed decision until

November 29, 1999. We will stamp comments postmarked after the close of the comment period as "late." These "late" comments may not be considered in formulating a final decision.

Your request for a hearing must reach EPA by October 28, 1999. The request must contain the information prescribed in § 260.20(d).

ADDRESSES: Please send two copies of your comments to Peter Ramanauskas, Waste Management Branch (DW-8J), Environmental Protection Agency, 77 W. Jackson Blvd., Chicago, IL, 60604.

Any person may request a hearing on this proposed decision by filing a request with Robert Springer, Director, Waste, Pesticides and Toxics Division, Environmental Protection Agency, 77 W. Jackson Blvd., Chicago, IL, 60604.

FOR FURTHER INFORMATION CONTACT: For technical information concerning this notice, contact Peter Ramanauskas at the address above or at 312-886-7890. The RCRA regulatory docket for this proposed rule is located at the U.S. EPA Region 5, 77 W. Jackson Blvd., Chicago, IL 60604, and is available for viewing from 8:00 a.m. to 4:00 p.m., Monday through Friday, excluding federal holidays. Call Peter Ramanauskas at (312) 886-7890 for appointments. The public may copy material from the regulatory docket at \$0.15 per page.

SUPPLEMENTARY INFORMATION: The information in this section is organized as follows:

- I. Overview Information
 - A. What action is EPA proposing?
 - B. Why is EPA proposing to approve this delisting?
 - C. How will GM manage the waste if it is delisted?
 - D. When would EPA finalize the proposed delisting exclusion?
 - E. How would this action affect States?
- II. Background
 - A. What is the history of the delisting program?
 - B. What is a delisting petition, and what does it require of a petitioner?
 - C. What factors must EPA consider in deciding whether to grant a delisting petition?
- III. EPA's Evaluation of the Waste Information and Data
 - A. What waste did GM petition EPA to delist?
 - B. What information and analyses did GM submit to support this petition?
 - C. How does GM generate the petitioned waste?
 - D. How did GM sample and analyze the data in this petition?
 - E. What were the results of GM's analysis?
 - F. How did EPA evaluate the risk of delisting this waste?
 - G. What other factors did EPA consider in its evaluation?
 - H. What did EPA conclude about GM's analysis?

I. What is EPA's final evaluation of this delisting petition?

IV. Conditions for Exclusion

- A. What are the maximum allowable concentrations of hazardous constituents in the waste?
- B. How frequently must GM test the waste?
- C. What must GM do if the process changes?
- D. What data must GM submit?
- E. What happens if GM's waste fails to meet the conditions of the exclusion?

V. Regulatory Impact

VI. Regulatory Flexibility Act

VII. Paperwork Reduction Act

VIII. Unfunded Mandates Reform Act

IX. Executive Order 12875

X. Executive Order 13045

XI. Executive Order 13084

XII. National Technology Transfer And Advancement Act

I. Overview Information

A. What Action Is EPA Proposing?

The EPA is proposing to grant GM's petition to have its wastewater treatment sludge excluded, or delisted, from the definition of a hazardous waste. We used a fate and transport model to predict the concentration of hazardous constituents released from the petitioned waste once it is disposed to evaluate the potential impact of the petitioned waste on human health and the environment.

B. Why is EPA Proposing to Approve This Delisting?

GM petitioned EPA to exclude, or delist, the wastewater treatment sludge because GM believes that the petitioned waste does not meet the RCRA criteria for which EPA listed it. GM also believes there are no additional constituents or factors which could cause the wastes to be hazardous.

Based on our review described below, we agree with the petitioner that the waste is nonhazardous with respect to the original listing criteria. If our review had found that the waste remained hazardous based on the factors for which we originally listed the waste, we would have proposed to deny the petition.

In reviewing this petition, we considered the original listing criteria and the additional factors required by the Hazardous and Solid Waste Amendments of 1984 (HSWA). See § 222 of HSWA, 42 U.S.C. 6921(f), and 40 CFR 260.22(d)(2)-(4). We evaluated the petitioned waste against the listing criteria and factors cited in §§ 261.11(a)(2) and (3).

We also evaluated the waste for other factors or criteria which could cause the waste to be hazardous. These factors included: (1) Whether the waste is considered acutely toxic; (2) the toxicity