

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 81**

[VA37-1-6812a; FRL-5170-9]

Designation of Areas for Air Quality Planning Purposes; Virginia; Withdrawal of Final Rule Pertaining to the Clean Air Act Promulgation of Reclassification of the Hampton Roads Ozone Nonattainment Area in Virginia and Attainment Determinations**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Withdrawal of direct final rule.

SUMMARY: On January 17, 1995, EPA published a final rule to reclassify the Norfolk-Virginia Beach-Newport News area (Hampton Roads) in Virginia from marginal to moderate nonattainment for ozone. The January 17, 1995 document also set forth the method that EPA will use henceforth to determine if areas have attained an air quality standard. These actions were published without prior proposal because EPA anticipated no adverse comment. Because EPA received adverse comments on these actions, EPA is withdrawing the January 17, 1995 final rule actions pertaining to the Hampton Roads reclassification and EPA's method to determine if areas attained an air quality standard.

EFFECTIVE DATE: March 13, 1995.**FOR FURTHER INFORMATION CONTACT:** Maria A. Pino, (215) 597-9337.

SUPPLEMENTARY INFORMATION: On January 17, 1995, EPA published a final rule to reclassify the Norfolk-Virginia Beach-Newport News area (Hampton Roads) in Virginia from marginal to moderate nonattainment for ozone (60 FR 3349), because the area failed to meet its November 15, 1993 attainment date. The action was based on air quality monitoring data for ozone. The January 17, 1995 document also set forth the method that EPA will use henceforth to determine if areas have attained an air quality standard. EPA approved this direct final rulemaking without prior proposal because the Agency viewed it as non-controversial and anticipated no adverse comments. The final rule was published in the **Federal Register** with a provision for a 30 day comment period (60 FR 3349). At the same time, EPA announced that this final rule would convert to a proposed rule in the event that adverse comments were submitted to EPA within 30 days of publication of the rule in the **Federal Register** (60 FR 3366). By publishing a document announcing withdrawal of the final rulemaking action, this action

would be withdrawn. EPA received adverse comment within the prescribed comment period. Therefore, EPA is withdrawing the January 17, 1995 final rulemaking actions pertaining to the Hampton Roads reclassification and EPA's method to determine if areas attained an air quality standard. All public comments received will be addressed in a subsequent rulemaking action based on the proposed rule.

The January 17, 1995 action also determined that a number of marginal ozone nonattainment in the states of Delaware, Pennsylvania, New Jersey, Ohio, and West Virginia have ambient air monitoring data that meets the ozone air quality standard. Those determinations were based on monitored air quality readings for ozone during the years 1991-1994. The January 17, 1995 action was not a redesignation action for these marginal areas for which air quality monitoring data indicates attainment of the standard. The Clean Air Act requires that a separate redesignation request be submitted by the appropriate states to EPA. These determinations are not affected by this withdrawal document. This withdrawal document only pertains to the final rulemaking actions on the Hampton Roads reclassification and EPA's method to determine if areas have attained an air quality standard.

List of Subjects in 40 CFR Part 81

Environmental protection, Air pollution control, Hydrocarbons, Intergovernmental relations, Ozone.

Dated: March 1, 1995.

Stanley Laskowski,
Acting Regional Administrator.

For the reasons set out in the preamble, 40 CFR part 81 is amended by withdrawing the final rule published on January 17, 1995 at 60 FR 3349.

[FR Doc. 95-6110 Filed 3-10-95; 8:45 am]

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40 CFR Part 81

[WI44-02-6881; FRL-5168-4]

Designation of Areas for Air Quality Planning Purposes; Wisconsin; Redesignation of Oshkosh, Wisconsin, to Attainment for Carbon Monoxide; Correction**AGENCY:** United States Environmental Protection Agency (USEPA).**ACTION:** Final rule, correction.

SUMMARY: On August 17, 1994 the USEPA published a final rule approving the redesignation Oshkosh, Wisconsin to attainment status for carbon

monoxide (59 FR 42168). The supplementary information to the final rule included several typographical errors, and the final rule incorrectly listed the date the rule was to take effect. This correction clarifies the intent of the supplementary information and provides the correct effective date of October 17, 1994.

The USEPA regrets any inconvenience caused by these errors.

EFFECTIVE DATE: This correction is effective March 13, 1995.

FOR FURTHER INFORMATION CONTACT: Megan Beardsley, Environmental Scientist, Regulation Development Section, Air Toxics and Radiation Branch (AT-18J), U.S. Environmental Protection Agency, Region 5, Chicago, Illinois 60604, (312) 886-0669.

SUPPLEMENTARY INFORMATION:**List of Subjects in 40 CFR Part 81**

Environmental protection, Air pollution control, National parks, Wilderness areas.

Dated: February 10, 1995.

David A. Ullrich,*Acting Regional Administrator.***Correction of Publication**

Accordingly, the final rule published on, August 17, 1994 at 59 FR 42168 FR Doc. 94-20172, is corrected as follows:

1. On page 42169 of the final rule, at the top of the first column, the "Action" heading is incorrectly labelled as "C;" the correct label is "B." In the same column, the "Miscellaneous" heading is labelled as "IV;" the correct label is "III." Similarly, in column two, the "Petitions for Judicial Review," heading is labelled as "D;" the correct label is "C."

§ 81.350 [Corrected]

2. On page 42169, in § 81.350, in the Wisconsin carbon monoxide table, in the entry for "Winnebago County" the designation date in column 2 and the classification date in column 4 are corrected to read "October 17, 1994".

[FR Doc. 95-5659 Filed 3-10-95; 8:45 am]

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