

requirements and impose any new federal requirements.

Under section 179(a)(2), if the EPA Administrator takes final disapproval action on a submission under section 110(k) for an area designated nonattainment based on the submission's failure to meet one or more of the elements required by the Act, the Administrator must apply one of the sanctions set forth in section 179(b) of the Act (unless the deficiency has been corrected within 18 months of such disapproval). Section 179(b) provides two sanctions available to the Administrator: revocation of highway funding and the imposition of emission offset requirements. The 18-month period referred to in section 179(a) will begin on the effective date established in the final disapproval action. If the deficiency is not corrected within 6 months of the imposition of the first sanction, the second sanction will apply. This sanctions process is set forth in 40 CFR 52.31. Today's action serves only to propose disapproval of the Commonwealth's SIP revision, and does not constitute final agency action. Thus, the sanctions process described above does not commence with today's action.

Also, 40 CFR 51.448(b) of the federal transportation conformity rules (40 CFR 51.448(b)) state that if the EPA disapproves a submitted control strategy implementation plan revision which initiates the sanction process under Act section 179, the conformity status of the transportation plan and transportation improvement plan shall lapse 120 days after the EPA's disapproval.

Under section 801(a)(1)(A) of the Administrative Procedures Act (APA) as amended by the Small Business Regulatory Enforcement Fairness Act of 1996, EPA submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives and the Comptroller General of the General Accounting Office prior to publication of the rule in today's Federal Register. This rule is not a "major rule" as defined by section 804(2) of the APA as amended.

This disapproval action for the Pennsylvania 15% plan for Philadelphia has been classified as a Table 3 action for signature by the Regional Administrator under the procedures published in the Federal Register on January 19, 1989 (54 FR 2214-2225), as revised by a July 10, 1995 memorandum from Mary Nichols, Assistant Administrator for Air and Radiation. The Office of Management and Budget (OMB) has exempted this regulatory action from E.O. 12866 review.

The Regional Administrator's decision to approve or disapprove the

SIP revision will be based on whether it meets the requirements of section 110(a)(2)(A)-(K) and part D of the Clean Air Act, as amended, and EPA regulations in 40 CFR Part 51.

List of Subjects in 40 CFR Parts 52 and 81

Environmental protection, Air pollution control, Hydrocarbons, Intergovernmental regulations, Reporting and recordkeeping, Ozone, Volatile organic compounds.

Dated: July 1, 1996.

W. T. Wisniewski,

Acting Regional Administrator.

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40 CFR Part 61

[FRL 5536-2]

National Emission Standards for Hazardous Air Pollutants: National Emission Standard for Radon Emissions From Phosphogypsum Stacks

AGENCY: Environmental Protection Agency.

ACTION: Notice of extension of Public Comment Period.

SUMMARY: The Environmental Protection Agency (EPA) is extending the comment period for the rulemaking to reconsider 40 CFR 61.205 and 40 CFR 61.207 which appeared in the Federal Register on May 8, 1996 (61 FR 20775). The extension of the comment period is provided in response to a request by a trade association representing the affected industry. The public comment period for this proposed rule was to end on July 8, 1996. The comment period is extended to July 26, 1996.

DATES: EPA will continue to accept public comments on this proposed rule until July 26, 1996. In addition, pursuant to Section 307(d)(5) of the Clean Air Act, the public may submit rebuttal and supplemental information to the docket for thirty (30) days after the August 1, 1996 public hearing. For more information on the public hearing, see 61 FR 33053 (June 26, 1996).

ADDRESSES: Comments must be submitted, in duplicate, to: Central Docket Section (6101), Environmental Protection Agency, ATTN: Air Docket No. 94-57, Washington, D.C. 20460. The docket is available for public inspection between the hours of 8:00 am and 5:30 pm, Monday through Friday, in Room M1500 of Waterside Mall, 401 M Street, SW, Washington, DC 20460. A reasonable fee may be charged for

copying. The FAX number is (202) 260-4400.

FOR FURTHER INFORMATION CONTACT: Eleanor Thornton, or for technical information, Rita Cestaric, at: Office of Radiation and Indoor Air (6602J), Environmental Protection Agency, Washington, DC 20460, (202) 233-9677. The proposed rule and supplementary information are located in Air Docket No. 94-57.

SUPPLEMENTARY INFORMATION: On March 24, 1994, EPA announced its decision concerning a petition by The Fertilizer Institute (TFI) seeking reconsideration of a June 3, 1992 final rule revising the National Emission Standard for Radon Emissions from Phosphogypsum Stacks, 40 CFR Part 61, Subpart R. EPA partially granted and partially denied the TFI petition. Pursuant to that decision, EPA convened a rulemaking to reconsider 40 CFR 61.205, the provision of the final rule which governs distribution and use of phosphogypsum for research and development, and the methodology used under 40 CFR 61.207 to establish the average radium-226 concentration for phosphogypsum to be removed from the phosphogypsum stack. See 61 FR 20775 (May 8, 1996) for a more detailed description of the proposed rule.

Reopening of comment period: The Comment Period for this proposed rule was scheduled to end on July 8, 1996. EPA received a request to extend the period to submit comments from TFI. After considering this request, EPA has decided to extend the comment period for this rulemaking to July 26, 1996.

Dated: July 5, 1996.

Richard D. Wilson,

Acting Assistant Administrator for Air and Radiation.

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40 CFR Part 63

[AD-FRL-5531-2]

Approval of State Programs and Delegation of Federal Authorities

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: This action revises the "Approval of State Programs and Delegation of Federal Authorities" (subpart E). These amendments are being made to improve the clarity of subpart E. Because the amendments clarify regulatory text and serve to minimize administrative burden and provide more flexibility to States using this rulemaking, the Agency does not