

food additives and color additives in the proposed rule.

The agency is reopening the comment period to ensure that the public has an opportunity to comment on the data that support the proposed categorical exclusions set forth in §§ 25.31(b) and 25.32(i), (j), (k), (l), (m), (q), and (r).

FDA believes that 30 days to comment is ample in this case, because the agency is specifically limiting its reopening of the comment period to comments on the categorical exclusions for which information has been added to the administrative record. Furthermore, data from EA's and findings of no significant impact for approved applications that support FDA's proposed categorical exclusions have always been available to the public upon request. Comments are invited, and will be considered, only to the extent they are focused on the categorical exclusions supported by information that has been added to the administrative record and only to the extent the comments regarding such information raise new issues not already raised by the person submitting the comment.

The documents that the agency is adding to the record are as follows:

1. "Retrospective Review of Ecotoxicity Data Submitted in Environmental Assessments," CDER, FDA.
2. Index of Petitions and Actions Supporting Categorical Exclusions for Foods, Food Additives, and Color Additives in proposed 21 CFR part 25.

Interested persons may, on or before November 21, 1996, submit to the Dockets Management Branch (address above) written comments regarding the documents listed above. Two copies of any comments are to be submitted, except that individuals may submit one copy. Comments are to be identified with the docket number found in brackets in the heading of this document. Received comments may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

Dated: October 16, 1996.

William K. Hubbard,  
Associate Commissioner for Policy  
Coordination.

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[WV017-6003b; WV040-6005b; FRL-5619-7]

#### Approval and Promulgation of Air Quality Implementation Plans; West Virginia (Prevention of Significant Deterioration: NO<sub>2</sub> and PM-10 Increments)

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA proposes to approve two State Implementation Plan (SIP) revisions submitted by the State of West Virginia. The first revision amends West Virginia's Prevention of Significant Deterioration (PSD) regulation by amending definitions, establishing the maximum increase in ambient nitrogen dioxide concentrations allowed in an area above the baseline concentration (the increment) and updating the references to federal air quality modeling procedures. The second revision removes increment provisions for total suspended particulates (TSP) and replaces them with increment provisions for particulate matter with an aerodynamic diameter of less than or equal to a nominal 10 micrometers (PM-10). The second revision also updates the references to federal air quality modeling procedures and adds provisions for pollution control projects at electric utilities. In the Final Rules section of this Federal Register, EPA is approving the State's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial SIP revision 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 proposed rule, no further activity is contemplated in relation to this rule. 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 on this action. Any parties interested in commenting on this action should do so at this time.

**DATES:** Comments must be received in writing by November 21, 1996.

**ADDRESSES:** Written comments on this action should be addressed to Kathleen Henry, Chief, Permit Programs Section, Mailcode 3AT23, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia,

Pennsylvania 19107. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air, Radiation, and Toxics Division, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107; and the West Virginia Department of Environmental Protection, Office of Air Quality, 1558 Washington Street, East, Charleston, West Virginia, 25311.

**FOR FURTHER INFORMATION CONTACT:** Lisa M. Donahue, (215) 566-2062, donahue.lisa@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** See the information provided in the Direct Final action of the same title which is located in the Rules and Regulations Section of this Federal Register.

Authority: 42 U.S.C. 7401-7671q.

Dated: September 20, 1996.

Stanley L. Laskowski,

*Acting Regional Administrator, Region III.*

[FR Doc. 96-27005 Filed 10-21-96; 8:45 am]

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### 40 CFR Part 52

[LA-23-1-6871b; FRL-5636-5]

#### Approval and Promulgation of State Implementation Plan; Louisiana; 15 Percent Rate-of-Progress Plan

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

**ACTION:** Proposed rule.

**SUMMARY:** The EPA is proposing to approve a revision to the Louisiana State Implementation Plan (SIP) for the purpose of satisfying the 15 percent rate-of-progress requirements of the Clean Air Act (Act) which will aid in ensuring the attainment of the national ambient air quality standard (NAAQS) for ozone.

In the final rules section of this Federal Register, EPA is approving the State's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial amendment 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 proposed rule, no further activity is contemplated in relation to this rule. 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. The EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.