

Failure to do this is considered to be a conversion and requires NPS approval and the substitution of replacement land in accordance with section 6(f)(3) of the L&WCF Act and paragraphs (a) through (c) of this section.

(e) *Is NPS approval required for every change of use?* (1) Recipients are not required to notify or seek NPS approval for every change in facility use.

(2) A State must request NPS approval in writing when there is a proposed change to another otherwise eligible facility use at the same site which will significantly contravene the original project agreement, amendments and other project documentation. A project area should be viewed in the context of overall use and should be monitored in this context.

(3) In reviewing a request for changes in use, NPS will consider the proposal's consistency with the Statewide Comprehensive Outdoor Recreation Plan or equivalent recreation plan.

(4) Any facility use change to other than a public outdoor recreation use is considered to be a conversion and will require NPS approval and the substitution of replacement land in accordance with section 6(f)(3) of the L&WCF Act and paragraphs (a) through (c) of this section.

(f) *Must conversions which have taken place prematurely satisfy the same tests as those which have not yet occurred?* Conversions of Fund-assisted projects to other than public outdoor recreation use which are underway or which have been completed without the prior approval of the State and NPS are still subject to the statutory requirements for conversion review, including the provision of suitable replacement property if approved. To ensure that premature conversions are resolved in a timely manner (including the identification of suitable replacement property if retroactively approved), the State, within 120 days from the date of conversion discovery, must notify NPS of the corrective actions it has taken or proposes take to bring the project back into compliance with the terms of the grant agreement and paragraphs (a) through (c) of this section. The notice must include a schedule for the actions to be taken through completion of this process.

Dated: August 13, 1998.

**Donald J. Barry,**

*Assistant Secretary for Fish and Wildlife and Parks.*

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[RI-6987b; A-1-FRL-6192-6]

#### Approval and Promulgation of Air Quality Implementation Plans; Rhode Island; 15 Percent Rate-of-Progress and Contingency Plans; Revisions to 1990 Ozone Emission Inventory

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

**ACTION:** Proposed rule.

**SUMMARY:** The EPA is proposing to approve State Implementation Plan (SIP) revisions submitted by the State of Rhode Island. The SIP revisions consist of the State's 15 percent rate of progress (ROP) plan and contingency plans, and minor revisions to the State's 1990 ozone emission inventory. In the Final Rules section of this **Federal Register**, EPA is approving the State's SIP submittals as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal 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 action, no further activity is contemplated. 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. Any parties interested in commenting on this action should do so at this time.

**DATES:** Written comments must be received on or before January 7, 1999.

**ADDRESSES:** Comments may be mailed to Susan Studlien, Deputy Director, Office of Ecosystem Protection (mail code CAA), U.S. Environmental Protection Agency, Region I, JFK Federal Bldg., Boston, MA 02203. 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 at the Division of Air and Hazardous Materials, Department of Environmental Management, 291 Promenade Street, Providence, RI 02908-5767.

**FOR FURTHER INFORMATION CONTACT:** Robert F. McConnell, (617) 565-9266.

**SUPPLEMENTARY INFORMATION:** For additional information, see the direct

final rule which is located in the Rules section of this **Federal Register**.

Dated: November 13, 1998.

**John P. DeVillars,**

*Regional Administrator, Region I.*

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[KY-106-102-9903b; FRL-6191-9]

#### Approval and Promulgation of Implementation Plans; Commonwealth of Kentucky

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA proposes to approve the Kentucky 15 Percent Plan, the automobile inspection and maintenance (I/M) program and the 1990 baseline emissions inventory submitted by the Commonwealth of Kentucky through the Kentucky Natural Resources Environmental Protection Cabinet on September 11, 1998. The adoption of a 15 Percent Plan, an I/M program and a baseline emissions inventory are required by the 1990 Clean Air Act Amendments for the Northern Kentucky Counties of Boone, Campbell, and Kenton, which are a part of the Cincinnati-Hamilton moderate nonattainment area for the one-hour ozone National Ambient Air Quality Standard (NAAQS). In addition, EPA proposes to approve revisions to the Kentucky State Implementation Plan (SIP) submitted on February 3, 1998, for the implementation of the rule regarding Stage II control at gasoline dispensing facilities and revisions to the existing open burning rule which provide a portion of the emission reductions included in the 15 Percent Plan.

In the final rules section of this **Federal Register**, the EPA is approving Kentucky's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision 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 the direct final rule, no further activity is contemplated in relation to this proposed 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