

and reasonably feasible alternatives considered by the Agency. This rule is not subject to E.O. 13045 because it does not involve decisions intended to mitigate environmental health or safety risks.

D. Executive Order 13084

Under E.O. 13084, Consultation and Coordination with Indian Tribal Governments, EPA may not issue a regulation that is not required by statute, that significantly or uniquely affects the communities of Indian tribal governments, and that imposes substantial direct compliance costs on those communities, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by the tribal governments, or EPA consults with those governments. If EPA complies by consulting, E.O. 13084 requires EPA to provide to the OMB, in a separately identified section of the preamble to the rule, a description of the extent of EPA's prior consultation with representatives of affected tribal governments, a summary of the nature of their concerns, and a statement supporting the need to issue the regulation. In addition, E.O. 13084 requires EPA to develop an effective process permitting elected officials and other representatives of Indian tribal governments "to provide meaningful and timely input in the development of regulatory policies on matters that significantly or uniquely affect their communities." Today's rule does not significantly or uniquely affect the communities of Indian tribal governments. Accordingly, the requirements of section 3(b) of E.O. 13084 do not apply to this rule.

E. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) generally requires an agency to conduct a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and small governmental jurisdictions. This final rule will not have a significant impact on a substantial number of small entities because SIP approvals under section 110 and subchapter I, part D of the Clean Air Act do not create any new requirements but simply approve requirements that the State is already imposing. Therefore, because the Federal SIP approval does not create any new requirements, I certify that this action will not have a significant economic impact on a substantial

number of small entities. Moreover, due to the nature of the Federal-State relationship under the Clean Air Act, preparation of flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The Clean Air Act forbids EPA to base its actions concerning SIPs on such grounds. *Union Electric Co., v. U.S. EPA*, 427 U.S. 246, 255-66 (1976); 42 U.S.C. 7410(a)(2).

F. Unfunded Mandates

Under section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated annual costs to State, local, or tribal governments in the aggregate; or to private sector, of \$100 million or more. Under section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the approval action promulgated does not include a Federal mandate that may result in estimated annual costs of \$100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. This Federal action approves pre-existing requirements under State or local law, and imposes no new requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements, Volatile organic compound.

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

Dated: December 18, 1998.

Laura Yoshii,

Acting Regional Administrator, Region IX.

[FR Doc. 99-14 Filed 1-5-99; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[IL178-1b, IL179-1b; FRL-6216-3]

Approval and Promulgation of Implementation Plans; Illinois

AGENCY: Environmental Protection Agency (USEPA).

ACTION: Proposed rule.

SUMMARY: The USEPA is proposing to approve two negative declarations submitted by the State of Illinois. The first indicates there is no need for regulations covering the industrial wastewater category in the Metro-East St. Louis (Metro-East) ozone nonattainment area. The Metro-East ozone nonattainment area includes Madison, Monroe and St. Clair Counties which are located in southwest Illinois, adjacent to St. Louis, Missouri. The second negative declaration indicates there is no need for regulations covering the industrial cleaning solvents category in the Metro-East ozone nonattainment area. The State's negative declarations regarding industrial wastewater category sources and industrial cleaning solvent sources were submitted to USEPA in two letters dated October 2, 1998. In the final rules section of this **Federal Register**, the USEPA is approving the State's requests as a direct final rule without prior proposal because USEPA views this action as noncontroversial and anticipates no adverse comments. A detailed rationale for approving the State's requests is set forth in the direct final rule. The direct final rule will become effective without further notice unless USEPA receives relevant adverse written comment. Should USEPA receive such comment, it will publish a timely withdrawal informing the public that the direct final rule will not take effect and such public comment received will be addressed in a subsequent final rule based on the proposed rule. If no adverse written comments are received, the direct final rule will take effect on the date stated in that rule, and no further action will be taken. USEPA does not plan to institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

DATES: Written comments must be received on or before February 5, 1999.

ADDRESSES: Written comments may be mailed to J. Elmer Bortzer, Chief, Regulation Development Section, Air Programs Branch (AR-18J), Region 5 at the address listed below.

Copies of the materials submitted by the Illinois Environmental Protection Agency may be examined during normal business hours at the following location: Regulation Development Section, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: Randolph O. Cano at (312) 886-6036.

SUPPLEMENTARY INFORMATION: For additional information see the direct final rule published in the rules section of this **Federal Register**.

Dated: December 21, 1998.

David A. Ullrich,

Acting Regional Administrator, Region 5.

[FR Doc. 99-228 Filed 1-5-99; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Notice of Extension of Public Comment Period on 90-day Finding on a Petition To List the Redband Trout in the Great Basin as Threatened or Endangered and Initiation of Status Review

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of extension of comment period.

SUMMARY: We, the Fish and Wildlife Service, provide notice of extending the public comment period on our 90-day finding on a petition to list the redband trout (*Oncorhynchus mykiss* ssp.) in the Great Basin as an endangered or threatened species throughout its range. Our 90-day finding was published in the **Federal Register** on November 16, 1998 (63 FR 63657) pursuant to the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*), as amended (Act), and the original public comment period was opened from November 16, 1998, to January 15, 1999. This notice extends the comment period to March 16, 1999.

DATES: The public comment period closes on March 16, 1999. Any information or comments received by the closing date will be considered in the status review.

ADDRESSES: Information, written comments and materials, or questions concerning our 90-day finding and the petition should be submitted to the Supervisor, U.S. Fish and Wildlife

Service, 2600 SE 98th Avenue, Suite 100, Portland, Oregon 97266.

FOR FURTHER INFORMATION CONTACT: Antonio Bentivoglio, biologist, at the above address or telephone 503-231-6179.

SUPPLEMENTARY INFORMATION:

Background

On November 16, 1998, we published a positive 90-day finding on a petition to list "Great Basin redband trout" as threatened or endangered pursuant to the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) (Act). The petition requested the listing of the indigenous redband trout in the Great Basin as endangered or threatened throughout its range in southeastern Oregon, northeastern California, and northwestern Nevada, in particular the redband trout populations in Catlow, Fort Rock (Silver Lake), Harney (Malheur Lake), Goose Lake, Warner, and Chewaucan (Lake Abert/Summer Lake) Basins (together these six closed basins make up the Great Basin as described in the petition). Our 90-day finding announced that substantial information was presented in the petition for us to begin a status review of the petitioned taxon. The original public comment period on the 90-day finding closes on January 15, 1999. We believe that up-to-date information on distribution and abundance is lacking for this taxon but is currently being gathered. Therefore, we are extending the closing date and continue to request relevant information on the Great Basin redband trout to produce as complete a status review as possible and to ensure that the status review is based on the best available scientific and commercial data.

We are soliciting information concerning:

- (1) information on historic distribution and information on current distribution in each basin;
- (2) habitat conditions in each basin;
- (3) basic biology including age-frequency distribution of the population(s) in each basin;
- (4) ongoing efforts to protect Great Basin redband trout and their habitat;
- (5) threats to the species and its habitat;
- (6) any information regarding distinct vertebrate population segment status of Great Basin redband trout as one unit or as six individual units; and
- (7) metapopulation dynamics and interactions between lake and stream morph fishes.

In addition to information pertaining to the Great Basin redband trout, we are requesting any information in categories

1-7, above, that relates to Interior redband trout. "Interior redband trout" is a common term referring to any rainbow/redband type trout found east of the crest of the Cascade Mountains.

This information should be submitted by March 16, 1999, to the Fish and Wildlife Service office in the **ADDRESSES** section.

Author: The primary author of this document is Antonio Bentivoglio, biologist, Oregon State Office, U.S. Fish and Wildlife Service (see **ADDRESSES** section).

Authority

The authority for this action is the Endangered Species Act (16 U.S.C. 1531 *et seq.*).

Dated: December 30, 1998.

Cynthia V. Barry,

Acting Regional Director, Region 1, Fish and Wildlife Service.

[FR Doc. 99-253 Filed 1-5-99; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 20

RIN 1018-AF25

Extension of Comment Period: Migratory Bird Hunting; Regulations To Increase Harvest of Mid-Continent Light Geese

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule; extension of comment period.

SUMMARY: The Service is extending the comment period on the **Federal Register** rule dated November 9, 1998 (63 FR 60271). The rule invites public comments on the proposed changes to the migratory bird hunting regulations that authorize additional hunting methods (electronic callers and unplugged shotguns) during a normal open mid-continent light goose hunting season when all other migratory bird hunting seasons are closed.

DATES: The deadline for receipt of comments is extended from January 8, 1999 to January 15, 1999.

ADDRESSES: Comments should be mailed to Chief, Office of Migratory Bird Management, U.S. Fish and Wildlife Service, Department of Interior, Ms 634-ARLSQ, 1849 C Street NW., Washington, D.C. 20240. The public may inspect comments during normal business hours in room 634-Arlington Square Building, 4401 N. Fairfax Drive, Arlington, Virginia.