

will be available at EPA's conformity website:

<http://www.epa.gov/oms/traq>, (once there, click on the "Conformity" button, then look for "Adequacy Review of SIP Submissions for Conformity").

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SUPPLEMENTARY INFORMATION:

Background

Throughout this document, whenever "we", "us" or "our" is used, we mean EPA. Today's notice is simply an announcement of a finding that we have already made. EPA Region 5 sent a letter to the Indiana Department of Environmental Management on September 28, 1999, stating that the Lake and Porter Counties submitted ozone attainment demonstration does not contain adequate mobile source emission budgets. This finding will also be announced on EPA's conformity website: <http://www.epa.gov/oms/traq>, (once there, click on the "Conformity" button, then look for "Adequacy Review of SIP Submissions for Conformity").

Transportation conformity is required by section 176(c) of the Clean Air Act. EPA's conformity rule requires that transportation plans, programs, and projects conform to state air quality implementation plans and establishes the criteria and procedures for determining whether or not they do. Conformity to a SIP means that transportation activities will not produce new air quality violations, worsen existing violations, or delay timely attainment of the national ambient air quality standards.

The criteria by which we determine whether a SIP's motor vehicle emission budgets are adequate for conformity purposes are outlined in 40 CFR 93.118(e)(4). Please note that an adequacy review is separate from EPA's completeness review, and it also should not be used to prejudge EPA's ultimate approval of the SIP. Even if we find a budget adequate, the SIP could later be disapproved.

We've described our process for determining the adequacy of submitted SIP budgets in guidance (May 14, 1999 memorandum titled "Conformity Guidance on Implementation of March 2, 1999 Conformity Court Decision"). We followed this guidance in making our adequacy determination.

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

Dated: October 7, 1999.

David A. Ullrich,

Acting Regional Administrator, Region 5.

[FR Doc. 99-27387 Filed 10-19-99; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-6460-7]

Adequacy Status of Milwaukee, WI Submitted Ozone Attainment Demonstration for Transportation Conformity Purposes

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Inadequacy.

SUMMARY: In this document, EPA is notifying the public that EPA has found that the Milwaukee, Wisconsin ozone attainment demonstration does not contain adequate mobile source emission budgets. On March 2, 1999, the DC Circuit Court ruled that submitted State Implementation Plans (SIPs) cannot be used for conformity determinations until EPA has affirmatively found them adequate. Since the April 30, 1998, submittal does not contain adequate budgets, this attainment demonstration can not be used for future conformity determinations.

FOR FURTHER INFORMATION CONTACT: The finding and the response to comments will be available at EPA's conformity website: <http://www.epa.gov/oms/traq>, (once there, click on the "Conformity" button, then look for "Adequacy Review of SIP Submissions for Conformity").

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SUPPLEMENTARY INFORMATION:

Background:

Throughout this document, whenever "we", "us" or "our" is used, we mean EPA. Today's notice is simply an announcement of a finding that we have already made. EPA Region 5 sent a letter to the Wisconsin Department of Natural Resources on September 28, 1999, stating that the Milwaukee, Wisconsin submitted ozone attainment demonstration does not contain adequate mobile source emission budgets. This finding will also be announced on EPA's conformity website:

<http://www.epa.gov/oms/traq>, (once there, click on the "Conformity" button, then look for "Adequacy Review of SIP Submissions for Conformity").

Transportation conformity is required by section 176(c) of the Clean Air Act. EPA's conformity rule requires that transportation plans, programs, and projects conform to state air quality implementation plans and establishes the criteria and procedures for determining whether or not they do. Conformity to a SIP means that transportation activities will not produce new air quality violations, worsen existing violations, or delay timely attainment of the national ambient air quality standards.

The criteria by which we determine whether a SIP's motor vehicle emission budgets are adequate for conformity purposes are outlined in 40 CFR 93.118(e)(4). Please note that an adequacy review is separate from EPA's completeness review, and it also should not be used to prejudge EPA's ultimate approval of the SIP. Even if we find a budget adequate, the SIP could later be disapproved.

We've described our process for determining the adequacy of submitted SIP budgets in guidance (May 14, 1999 memorandum titled "Conformity Guidance on Implementation of March 2, 1999 Conformity Court Decision"). We followed this guidance in making our adequacy determination.

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

Dated: October 7, 1999.

David A. Ullrich,

Acting Regional Administrator, Region 5.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-6460-9]

Adequacy Status of Chicago, IL Submitted Ozone Attainment Demonstration for Transportation Conformity Purposes

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Inadequacy.

SUMMARY: In this document, EPA is notifying the public that EPA has found that the Chicago, Illinois ozone attainment demonstration does not contain adequate mobile source emission budgets. On March 2, 1999, the D.C. Circuit Court ruled that submitted State Implementation Plans (SIPs) cannot be used for conformity