

helpline can be reached at (202) 208-2474.

**David P. Boergers,**  
Secretary.

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6479-6]

### Notice of Proposed Administrative Order on Consent Under the Resource Conservation and Recovery Act, as Amended, 42 U.S.C. 6973, Gates Corporation, Boone, IA; Docket No. RCRA-7-99-0019

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of proposed administrative order on consent, Gates Corporation, Boone, Iowa; and opportunity for public meeting and public comment.

**SUMMARY:** Notice is hereby given that a proposed administrative order on consent regarding Gates Corporation was signed by the United States Environmental Protection Agency (EPA) on September 30, 1999. The facility that is the subject of this consent order is the Gates Rubber Company, located in Boone, Iowa. EPA will receive public comments and requests for a public meeting in the affected area on the proposed settlement. If a public meeting is to be held, additional notice will be provided; otherwise, no public meeting is currently scheduled.

**DATES:** EPA will receive, on or before December 23, 1999, written comments relating to the proposed administrative order on consent and requests for a public meeting in the affected area.

**ADDRESSES:** Comments should be addressed to Robert Richards, Assistant Regional Counsel, United States Environmental Protection Agency, Region VII, 901 N. 5th Street, Kansas City, Kansas 66101 and should refer to *Gates Corporation, Boone, Iowa Docket No. RCRA-7-99-0019*.

The proposed consent order may be examined or obtained in person or by mail at the office of the United States Environmental Protection Agency, Region VII, 901 N. 5th Street, Kansas City, KS 66101, (913) 551-7502.

**SUPPLEMENTARY INFORMATION:** Respondent (Gates Corporation) owns and operates a facility under the name of Gates Rubber Company (Facility), located at 2121 Industrial Park Blvd., Boone, Iowa. Respondent assembles hydraulic hoses at the Facility. As a

result of business operations, Respondent generates solid and hazardous waste. Solvent contamination was initially identified during a geotechnical exploration on the Facility property in May 1997.

Tetrachloroethylene (PCE) has been identified in the soil and groundwater at the Facility and is believed to have originated from an above ground storage tank that was previously used at the Facility. Several other volatile hydrocarbons have also been identified in the soil and/or groundwater media. The release of PCE into the environment at the facility is enough to contaminate the groundwater to a level that exceeds the EPA established maximum contaminant level for PCE in drinking water. The continued migration of the contaminants off the Facility property may threaten human health and the environment.

Respondent has agreed to undertake all actions required by the terms and conditions of the consent order, including submission of work plans and reports pursuant to EPA guidance, implementation of additional work deemed to be necessary by EPA and documentation of financial assurance.

This is a proposed order subject to public comment. The EPA may withdraw its consent to this order if comments received during the comment period or at any requested public meeting disclose facts or considerations which indicate this order is inappropriate, improper or inadequate.

Dated: October 28, 1999.

**Dennis Grams,**

*Regional Administrator, Region VII.*

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## ENVIRONMENTAL PROTECTION AGENCY

[AZ-016-COLMP; FRL-6480-2]

### Adequacy Status of the Pima County Submitted CO Limited Maintenance Plan for Transportation Conformity Purposes

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

**ACTION:** Notice of Adequacy.

**SUMMARY:** In this notice, EPA is notifying the public that we have found that Pima County submitted CO Limited Maintenance Plan is adequate for conformity purposes. On March 2, 1999, the D.C. Circuit Court ruled that submitted SIPs cannot be used for conformity determinations until EPA has affirmatively found them adequate.

As a result of our finding, Pima County is not required to use a motor vehicle emissions budget from the submitted CO Limited Maintenance Plan for future conformity determinations. This determination is effective December 8, 1999.

**DATES:** These budgets are effective December 8, 1999.

**FOR FURTHER INFORMATION CONTACT:** The finding and, if any comments are received, the response to comments are 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").

Karina O'Connor, U.S. EPA, Region IX, Air Division AIR-2, 75 Hawthorne Street, San Francisco, CA 94105; (415) 744-1247 or [occonnor.karina@epa.gov](mailto:occonnor.karina@epa.gov).

#### SUPPLEMENTARY INFORMATION:

#### Background

Today's notice is simply an announcement of a finding that we have already made. EPA Region IX sent a letter to the Arizona Department of Environmental Quality on September 30, 1999 stating that the Pima County submitted CO Limited Maintenance Plan is adequate for conformity purposes. This finding has also been 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 (SIPs) 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 memo titled "Conformity Guidance on Implementation of March 2, 1999