

2. P-8282; 6/08/00; Rafael Montag.

**David P. Boergers,**

*Secretary.*

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**ENVIRONMENTAL PROTECTION AGENCY**

[IL201; FRL-6720-3]

**Adequacy Status of Chicago, IL Submitted Ozone Rate of Progress Plan Budget for Transportation Conformity Purposes**

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

**ACTION:** Notice of adequacy.

**SUMMARY:** In this notice, EPA is notifying the public that in a letter dated May 23, 2000, EPA found that the motor vehicle emissions budget in the Chicago, Illinois ozone nine percent rate of progress plan and supplemental information, submitted on December 18, 1997, December 17, 1999, January 14, 2000, and January 21, 2000, is adequate for conformity purposes. On March 2, 1999, the D.C. Circuit Court ruled that submitted State Implementation Plans (SIPs) cannot be used for conformity determinations until EPA has affirmatively found them adequate. As a result of our finding, Chicago can use the motor vehicle emissions budget for volatile organic compounds for the year 1999 from the submitted ozone nine percent rate of progress plan for future conformity determinations. This budget is effective July 7, 2000.

**FOR FURTHER INFORMATION CONTACT:** The finding and the response to comments already received 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").

Patricia Morris, Environmental Scientist, Regulation Development Section (AR-18J), Air Programs Branch, Air and Radiation Division, United States Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353-8656, morris.patricia@epa.gov.

**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 Illinois Environmental Protection Agency on May 23, 2000, stating that the motor vehicle emissions budget in the Chicago, Illinois submitted ozone nine percent rate of progress plan for 1999 is adequate. 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: June 12, 2000.

**David A. Ullrich,**

*Acting Regional Administrator, Region 5.*

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**ENVIRONMENTAL PROTECTION AGENCY**

[OPPTS-140285; FRL-6591-6]

**Access to Confidential Business Information by Logistics Management Institute**

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

**ACTION:** Notice.

**SUMMARY:** EPA has authorized its contractor Logistics Management Institute (LMI) of McLean, Virginia access to information which has been

submitted to EPA under sections 4, 5, 8, and 12 of the Toxic Substances Control Act (TSCA). Some of the information may be claimed or determined to be confidential business information (CBI).

**DATES:** Access to the confidential data submitted to EPA under TSCA section 12(b), occurred as a result of an approved waiver dated April 6, 2000, which requested granting LMI immediate access to this Section of TSCA CBI. This waiver was necessary to allow LMI to repair a database containing 12(b) export notices.

**FOR FURTHER INFORMATION CONTACT:**

Barbara A. Cunningham, Acting Director, Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. E-545, 401 M St., SW., Washington, DC 20460, (202) 554-1404, TDD: (202) 554-0551; e-mail: TSCA-Hotline@epa.gov.

**SUPPLEMENTARY INFORMATION:**

**I. Does this Notice Apply to Me?**

This action is directed to the public in general. This action may, however, be of interest to "those persons who are or may be required to conduct testing of chemical substances under the Toxic Substances Control Act (TSCA)." Since other entities may also be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under "FOR FURTHER INFORMATION CONTACT."

**II. How Can I Get Additional Information, Including Copies of this Document or Other Related Documents?**

**Electronically.** You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet Home Page at <http://www.epa.gov/>. To access this document, on the Home Page select "Laws and Regulations" and then look up the entry for this document under the "Federal Register—Environmental Documents." You can also go directly to the **Federal Register** listings at <http://www.epa.gov/fedrgstr/>.

**III. What Action is the Agency Taking?**

Under contract number GS-35F-4041G, contractor LMI of 2000 Corporate Ridge Road, Mclean, VA, will assist the Office of Pollution Prevention and Toxics (OPPTS) by providing compatible and integrated databases that have the quality, accessibility, availability and maintainability for the workflow applications developed to support OPPT processes.