[c] The Publicly Owned Treatment Works (POTW) Emissions source category had a statutory deadline for regulatory promulgation of November 15, 1995, as established by CAA section 112(e)(5). However, for purposes of determining the 18-month period applicable to the POTW source category under section 112(j)(2), the promulgation deadline was November 15, 1997. This latter date is consistent with the section 112(e) schedule for the promulgation of emissions standards, as published in the **Federal Register** on December 3, 1993 (58 FR 63941).

[d] Equipment handling specific chemicals for these categories or subsets of these categories is subject to a negotiated standard for equipment leaks contained in the Hazardous Organic NESHAP (HON), which was promulgated on April 22, 1994. The HON includes a negotiated standard for equipment leaks from the SOCMI category and 20 non-SOCMI categories (or subsets of these categories). The specific processes affected within the categories are listed in Section XX.X0(c) of the March 6, 1991 **Federal Register** notice (56 FR 9315).

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BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–6938–2]

Proposed Settlement Agreement, Clean Air Act Citizen Suit

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed settlement; request for public comment.

SUMMARY: In accordance with section 113(g) of the Clean Air Act, as amended (the ''Act''), 42 U.S.C. 7413(g), notice is hereby given of a proposed partial consent decree in *Sierra Club* v. *Browner,* Civ. No. 1:00CV02206 (D.D.C.), a lawsuit filed by the Sierra Club and the Group Against Smog and Pollution (GASP) under section 304(a) of the Act, 42 U.S.C. 7604(a). The lawsuit concerns EPA's alleged failure to determine whether various identified areas that are designated as nonattainment for either the 1-hour ozone or PM10 NAAQS attained these NAAQS by their attainment dates. The proposed partial consent decree was lodged with the United States District Court for the District of Columbia on January 12, 2001.

DATES: Written comments on the proposed partial consent decree must be received by March 1, 2001.

ADDRESSES: Written comments should be sent to Kevin W. McLean, Air and Radiation Division (2344A), Office of General Counsel, U.S. Environmental Protection Agency, Ariel Rios Building—North, 1200 Pennsylvania Avenue, NW., Washington, DC 20004. Copies of the proposed partial consent decree are available from Samantha Hooks, (202) 564–7606.

SUPPLEMENTARY INFORMATION: The Clean Air Act requires EPA to determine within six months of the applicable attainment date whether areas that are designated as nonattainment for the ozone and PM10 national ambient air quality standards (NAAQS) attained those standards by those dates. See sections 181(b)(2) and 188(b)(2), 42 U.S.C. 7511 ((b)(2) and 7513(b)(2)). If EPA determines that an area failed to attain the relevant NAAQS by the applicable attainment date, the Act provides that such area shall be reclassified by operation of law to the next higher classification. The proposed partial consent decree provides that, with respect to certain areas identified in the complaint, EPA shall sign a notice of final rulemaking by specified dates determining for each identified area either that it attained the relevant NAAQS by the applicable attainment date, or did not attain such NAAQS by such date. In the case where the determination is that the area did not timely attain the NAAQS, the proposed partial consent decree provides that EPA shall inform the public through notice in the **Federal Register**, and identify the appropriate reclassification for that area in the notice of final rulemaking.

For a period of thirty (30) days following the date of publication of this notice, EPA will receive written comments relating to the proposed partial consent decree from persons who were not named as parties or interveners to the litigation in question. EPA or the Department of Justice may withhold or withdraw consent to the proposed consent decree if the comments disclose facts or circumstances that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Unless EPA or the Department of Justice determines, following the comment period, that consent is inappropriate, the final consent decree will then be executed by the parties.

Dated: January 17, 2001.

Anna Wolgast,

Acting for General Counsel.

[FR Doc. 01–2567 Filed 1–29–01; 8:45 am]

BILLING CODE 6560–50–M

ENVIRONMENTAL PROTECTION AGENCY

[FRL–6938–7]

Proposed Settlement Agreement, Challenge to Final CAA Action

AGENCY: Environmental Protection Agency.

ACTION: Notice of Proposed Settlement; Request for Public Comment.

SUMMARY: In accordance with section 113(g) of the Clean Air Act, as amended, (the ''Act''), 42 U.S.C. 7413(g), notice is hereby given of a proposed settlement agreement in *Idaho Clean Air Force et al.* v. *EPA et al.*, Nos. 99–70259 and 70576 (9th Cir.) filed by the Idaho Clean Air Force and the Environmental Defense (formerly Environmental Defense Fund) under section 307(b)(1) of the Act, 42 U.S.C. 7607(b)(1). The Community Planning Association of Southwest Idaho (COMPASS) was granted leave to intervene as a respondent in the litigation.

DATES: Written comments on the proposed settlement agreement must be received by March 1, 2001.

ADDRESSES: Written comments should be sent to Michael Prosper, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, Ariel Rios Building North, 1200 Pennsylvania Avenue, NW., Washington, DC, 20004. Copies of the proposed settlement agreement are available from Samantha S. Hooks, (202) 564–7606.

SUPPLEMENTARY INFORMATION: This lawsuit challenged a final action by EPA which removed the applicability of the 1987 PM10 national ambient air quality standards, and associated designation and classification, for Northern Ada County, Idaho. 64 FR 12257 (March 12, 1999). EPA's action was primarily based on the promulgation in 1997 of more protective PM standards, including revised PM10 standards. In May of 1999 the U.S. Court of Appeals for the D.C. Circuit issued a decision, *American Trucking Associations et al.* v. *EPA*, 175 F.3d 1027 (D.C. Cir. 1999) which, among other things, vacated the newly-revised PM10 standards. This decision effectively removed the basis for the March 12th Northern Ada County rulemaking. The proposed settlement agreement is being entered into by the parties to the litigation, and by representatives of the Idaho Department of Environmental Quality (IDEQ) and the Idaho Attorney General's Office.

In general, the agreement being proposed provides that the litigation in the 9th Circuit Court of Appeals would be terminated, but with the possibility that it may be re-activated, pending completion of the obligations committed to by the parties in the settlement