

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 52**

[PA106-4113b; FRL-6959-7]

**Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Approval of VOC and NOX RACT Determinations for Merck and Company, Inc**

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

**SUMMARY:** EPA proposes to approve the State Implementation Plan (SIP) revision submitted by the Commonwealth of Pennsylvania for the purpose of establishing and requiring reasonably available control technology (RACT) for a facility of Merck and Company, Inc. located in Montgomery County. This facility is a major source of volatile organic compounds (VOC) and nitrogen oxides (NO<sub>x</sub>). In the Final Rules section of this **Federal Register**, EPA is approving the Commonwealth's SIP submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this action, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time.

**DATES:** Comments must be received in writing by May 18, 2001.

**ADDRESSES:** Written comments should be addressed to Makeba Morris, Chief, Permits and Technical Assessment Branch, Air Protection Division, Mailcode 3AP11, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103; Bureau of Air Quality Control, P.O. Box 8468, 400 Market Street, Harrisburg, Pennsylvania 17105.

**FOR FURTHER INFORMATION CONTACT:** Melik A. Spain, (215) 814-2299, at the EPA Region III address above, or by e-mail at [spain.melik@epa.gov](mailto:spain.melik@epa.gov).

**SUPPLEMENTARY INFORMATION:** For further information, please see the information provided in the direct final action, with the same title, located in the "Rules and Regulations" section of this **Federal Register** publication.

Dated: March 19, 2001.

William C. Early,

Acting Regional Administrator, Region III.

[FR Doc. 01-9481 Filed 4-17-01; 8:45 am]

BILLING CODE 6560-50-U

**DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service****50 CFR Part 17****Endangered and Threatened Wildlife and Plants; 12-month Finding for a Petition To List the Sicklefin Chub (*Macrhybopsis meeki*) and the Sturgeon Chub (*Macrhybopsis gelida*) as Endangered**

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of 12-month petition finding.

**SUMMARY:** We, the U.S. Fish and Wildlife Service, announce a 12-month finding for a petition to list the sicklefin chub (*Macrhybopsis meeki*) and the sturgeon chub (*Macrhybopsis gelida*) as endangered under the Endangered Species Act of 1973, as amended. After review of all available scientific and commercial information, we find that listing either of these two species is not warranted at this time.

**DATES:** The finding announced in this document was made on April 10, 2001.

**ADDRESSES:** Data, information, comments, or questions regarding this notice should be sent to Mr. Allyn Sapa, Field Supervisor, 3425 Miriam Avenue, Bismarck, North Dakota, 58501. The complete administrative file for this finding is available for inspection during normal business hours, by appointment, at the above address. The status review document for the sicklefin chub and the sturgeon chub also may be obtained at that address, or at our Internet web site at <<http://mountain-prairie.fws.gov/endspp/chubs>>.

**FOR FURTHER INFORMATION CONTACT:** William Bicknell at the above address, telephone (701) 250-4414, or e-mail <[william\\_bicknell@fws.gov](mailto:william_bicknell@fws.gov)>.

**SUPPLEMENTARY INFORMATION:****Background**

The sicklefin and sturgeon chub are members of the Cyprinidae or minnow family. They are native to the Missouri

River basin and the Mississippi River downstream from the confluence with the Missouri River. Both species are highly adapted for conditions found in large free-flowing rivers with relatively high levels of turbidity.

The sicklefin chub is usually yellowish or tan colored on the back and silvery-white on the belly with a snout protruding slightly beyond the mouth. A single pair of maxillary barbels is located at the corners of the mouth. Average adult length ranges from 3.6 to 10.1 centimeters (1.4 to 4.0 inches) with the average adult weight ranging from 0.6 to 6.2 grams (0.02 to 0.2 ounce). The sicklefin is a relatively short-lived species with a small percentage of the population reaching age 4. The sicklefin chub can be most readily distinguished by its elongated pectoral fins and a sickle-shaped dorsal fin.

The sturgeon chub is tan to pale green on the back and cream to white on the belly. A few black speckles occasionally are present on the sides and back. It has a long, fleshy snout with a single pair of maxillary barbels located at the corners of the mouth. Average adult length ranges from 3.8 to 9.6 centimeters (1.5 to 3.8 inches) and average adult weight ranges from 0.3 to 9.3 grams (0.01 to 0.3 ounces). The sturgeon chub is relatively short-lived species with a maximum life-span of about 4 years. Sturgeon chub can be identified by the unique longitudinally-arranged ridges or keels on most scales.

Section 4(b)(3)(B) of the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*), requires that within 90 days of receipt of the petition, to the maximum extent practicable, we make a finding on whether a petition to list, delist, or reclassify a species presents substantial scientific or commercial information indicating that the requested action may be warranted. If the petition contains substantial information, the Act requires that we initiate a status review of the species and publish a 12-month finding indicating whether the petitioned action is (a) not warranted, (b) warranted, or (c) warranted but precluded from immediate listing proposal by other pending proposals of higher priority. Such 12-month findings are to be published promptly in the **Federal Register**.

In 1993, we issued status reports for the sicklefin chub and sturgeon chub (U.S. Fish and Wildlife Service 1993a, b). The reports indicated the range and populations of sicklefin and sturgeon chubs had been substantially reduced. On June 29, 1994, we received a petition from a coalition of groups to list the