

ENVIRONMENTAL PROTECTION AGENCY

April 9, 1998

[FRL-]

**Notice of Intent to Reopen the Comment Period for Certain
Issues Raised in the Proposed Rulemaking for the Nitrogen
Oxides (NOx) State Implementation Plan (SIP) Call**

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Intent to Reopen the Comment Period for Certain Issues Raised in the Proposed Rulemaking for a Finding of Significant Contribution and Rulemaking for Certain States in the Ozone Transport Assessment Group Region for Purposes of Reducing Regional Transport of Ozone.

SUMMARY: Notice is hereby given that EPA intends to reopen during a specified period of time the comment period for certain issues raised in the Proposed Rulemaking for a Finding of Significant Contribution and Rulemaking for Certain States in the Ozone Transport Assessment Group Region for Purposes of Reducing Regional Transport of Ozone.

ADDRESSES: Documents relevant to this matter are available for inspection at the Air and Radiation Docket and Information Center (6101), Attention: Docket No. A-96-56, U.S. Environmental Protection Agency, 401 M Street SW, room M-1500, Washington, DC 20460, telephone (202) 260-7548, between 8:00 a.m. and 4:00 p.m., Monday through Friday, excluding legal holidays. A reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: Questions concerning today's action should be addressed to Kimber Smith Scavo, Office of Air Quality Planning and Standards, Air Quality Strategies and Standards Division, MD-15, Research Triangle Park, NC 27711, telephone (919) 541-3354.

SUPPLEMENTARY INFORMATION: By notice dated November 7, 1997, EPA published, ~~A~~Proposed Rulemaking: Finding of Significant Contribution and Rulemaking for Certain States in the Ozone Transport Assessment Group Region for Purposes of Reducing Regional Transport of Ozone@ (62 FR 60318).

This notice may be referred to as the Proposed NOx SIP call because it consists, in part, of a requirement that certain States submit SIP revisions to require reductions of NOx.

This notice provided a 120-day comment period, which expired on March 9, 1998. The EPA has received numerous requests to extend or reopen the comment period for this rulemaking for at least certain issues.

The EPA is today reopening the comment period--during the comment period for the supplemental notice of proposed rulemaking for the Proposed NOx SIP call, as described below--for additional air quality modeling runs relevant to the issues raised in the proposed NOx SIP call, as well as comments concerning the implications that any such additional runs may have for the State NOx budgets under consideration in that rulemaking.

The EPA is not reopening or extending the comment period of the proposed NOx SIP call for other issues not

identified above. In particular, EPA reiterates its statements in its ~~A~~Notice of Proposed Rulemaking (NPR) for NOx SIP Call--Clarification of Comment Process@ (63 FR 4206, January 28, 1998), in which EPA stated that in light of the need to assure that air quality modeling analyses would be completed in time for the final NOx SIP call rulemaking, it would be necessary to assure that comments on one of the critical inputs into the air quality modeling analyses--the emissions inventories--were, in a timely manner. Accordingly, EPA stated in that notice, ~~A~~any comments concerning emission inventory data that are to be considered in the modeling analyses must be received by EPA within the official 120-day comment period (i.e., by March 9, 1998).@ Id.

The EPA intends to publish by mid-April 1998 a supplemental notice of proposed rulemaking for the proposed NOx SIP call (supplemental proposed NOx SIP call or supplemental proposal). The EPA intends to provide a 45-day comment period for all issues in the supplemental proposal, which would expire at approximately the end of May 1998. The reopened comment period for the issues identified above will coincide with the comment period for the supplemental proposal.

Dated: April 3, 1998

Richard D. Wilson

Acting Assistant Administrator for Air and Radiation