

is certified that this proposed rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

#### PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

##### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9E, Airspace Designations and Reporting Points, dated September 10, 1997, and effective September 16, 1997, is amended as follows:

*Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

#### AGL OH E5 Marion, OH [Revised]

Marion Municipal Airport, OH  
(Lat. 40°36'59" N, long. 83°03'49" W)

That airspace extending upward from 700 feet above the surface within a 7.4-mile radius of Marion Municipal Airport, excluding that airspace within the Buckyrus, OH, Class E airspace area.

\* \* \* \* \*

Issued in Des Plaines, Illinois on March 11, 1998.

#### Maureen Woods,

Manager, Air Traffic Division.

[FR Doc. 98–7375 Filed 3–20–98; 8:45 am]

BILLING CODE 4910–13–M

#### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 52

[IL167–1b; FRL–5978–9]

#### Approval and Promulgation of State Implementation Plan; Illinois

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve the May 5, 1995, and May 26, 1995, Illinois State Implementation Plan (SIP) revision requests regarding Synthetic Organic Chemical Manufacturing Industry reactor and distillation rules applicable to the Chicago and Metro-East ozone nonattainment areas. In the final rules section of this **Federal Register**, the EPA is approving the State's requests as a direct final rule without prior proposal because EPA views this action as noncontroversial and anticipates no adverse comments. A detailed rationale for approving the State's request is set forth in the direct final rule. The direct final rule will become effective without further notice unless the Agency receives relevant adverse written comment on this proposed rule by April 22, 1998. Should the Agency receive such comment, it will publish a final rule informing the public that the direct final rule did not take effect and such public comment received will be addressed in a subsequent final rule based on this proposed rule. If no adverse written comments are received, the direct final rule will take effect on the date stated in that document and no further activity will be taken on this proposed rule. EPA does not plan to institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

**DATES:** Written comments on this proposed rule must be received on or before April 22, 1998.

**ADDRESSES:** Written comments should be mailed to: J. Elmer Bortzer, Chief, Regulation Development Section, Air Programs Branch (AR–18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

Copies of the State submittal are available for inspection at: Regulation Development Section, Air Programs Branch (AR–18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

**FOR FURTHER INFORMATION CONTACT:** Mark J. Palermo, Environmental Protection Specialist, Regulation Development Section, Air Programs Branch (AR–18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886–6082.

**SUPPLEMENTARY INFORMATION:** For additional information see the direct final rule published in the final rules section of this **Federal Register**.

Dated: March 5, 1998.

**David A. Ullrich,**

Acting Regional Administrator, Region V.  
[FR Doc. 98–7129 Filed 3–20–98; 8:45 am]

BILLING CODE 6560–50–P

#### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 52

[OH112–1b; FRL–5977–1]

#### Approval and Promulgation of Implementation Plans; Ohio

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

**ACTION:** Proposed rule.

**SUMMARY:** USEPA is proposing to approve an August 1, 1997 requested revision to the Ohio State Implementation Plan (SIP) incorporating revised emission statement reporting requirements previously approved for the purpose of implementing an emissions statement program for stationary sources within the State's ozone nonattainment areas classified as marginal or above. In this action, USEPA is proposing to approve the State's finding that emission statement requirements are no longer applicable to areas redesignated as attaining the national ambient air quality standards for ozone. In the final rules section of this **Federal Register**, the USEPA is approving the State's requests as a direct final rule without prior proposal because USEPA views this action as noncontroversial and anticipates no adverse comments. A detailed rationale for approving the State's request is set forth in the direct final rule. This direct final rule will become effective without further notice unless USEPA receives relevant adverse written comment on the this proposed rule by April 22, 1998. Should USEPA receive such comment, it will publish a final rule informing the public that the direct final rule did not take effect and such public comment received will be addressed in a subsequent final rule based on the proposed rule. If no adverse written comments are received, the direct final rule will take effect on the date stated in that rule and no further action will be taken on this proposed rule. USEPA does not plan to institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

**DATES:** Written comments on this proposed rule must be received on or before April 22, 1998.

**ADDRESSES:** Written comments may be mailed to J. Elmer Bortzer, Chief,

Regulation Development Section, Air Programs Branch (AR-18J), Region 5 at the address listed below.

Copies of the materials submitted by the Ohio Environmental Protection Agency may be examined during normal business hours at the following locations:

Regulation Development Section, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois, 60604.

Ohio Environmental Protection Agency, Division of Air Pollution Control, 1800 Watermark Drive, Columbus, OH 43215.

**FOR FURTHER INFORMATION CONTACT:** Randolph O. Cano at (312) 886-6036.

**SUPPLEMENTARY INFORMATION:** For additional information see the direct final rule published in the rules section of this **Federal Register**.

Dated: February 19, 1998.

**Michelle D. Jordan,**

*Acting Regional Administrator, Region V.*  
[FR Doc. 98-7130 Filed 3-20-98; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[VA-022-5022; FRL-5984-9]

### Approval and Promulgation of Air Quality Implementation Plans; Virginia; New Source Review in Nonattainment Areas

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to grant limited approval of a State Implementation Plan (SIP) revision submitted by the Commonwealth of Virginia to revise its new source review (NSR) regulations for nonattainment areas to bring them into conformance with the Clean Air Act (CAA) amendments adopted in 1990, and to make other changes desired by the Commonwealth. Virginia's NSR regulations for nonattainment areas require persons to meet certain requirements before constructing a new major source to be located in a nonattainment area, or constructing a major modification in such an area, if that source or modification is or would be major for the pollutant for which the area is nonattainment. The requirements include the installation of air pollution control technology capable of achieving the Lowest Achievable Emission Rate

(LAER), and offsetting the increase in emissions from the new source or modification with decreases in emissions from other sources.

**DATES:** Comments must be received on or before April 22, 1998.

**ADDRESSES:** Comments may be mailed to Kathleen Henry, Chief, Permit Programs Section, Mailcode 3AP11, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air Protection Division, U.S. EPA, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107, and the Virginia Department of Environmental Quality, 629 East Main Street, Richmond, Virginia 23219.

**FOR FURTHER INFORMATION CONTACT:** Ray Chalmers, 3AT23, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania, 19107, (215) 566-2061. E-mail address: chalmers.ray@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:**

### I. General Description of CAA NSR Requirements

The CAA requires that certain NSR requirements be met by any person seeking to construct a new major source to be located in a nonattainment area, or to construct a major modification in such an area, if the source or modification is or would be major for the pollutant for which the area is designated as nonattainment. The requirements which such persons must meet include installing LAER technology and obtaining emission offsets. Sections 172(c)(5) and 173 of the CAA require States to adopt NSR permitting regulations and to establish NSR permitting programs to implement these requirements. When Congress revised the CAA in 1990, it modified certain NSR requirements, and directed States to revise their NSR regulations to incorporate these modifications.

### II. General Description of Virginia's NSR Submittal

As the CAA requires, Virginia's SIP includes a NSR regulation, entitled "Permits—Major Stationary Sources and Major Modifications Locating in Nonattainment Areas," which specifies that new major sources or major modifications constructed in nonattainment areas must apply LAER and obtain emission offsets. This regulation is found in Virginia's Regulations for the Control and Abatement of Air Pollution at section

120-08-03. In response to the CAA revisions adopted in 1990, Virginia submitted, on November 9, 1992, a revision to this NSR regulation intended to update the requirements of the regulation.

The revised regulation contains, among other things, a provision allowing the crediting of emission reductions from preapplication shutdowns or curtailments which occurred on or after January 1, 1991, and which are permanent, quantifiable, and federally and state enforceable. This provision is the reason EPA is proposing only limited approval of Virginia's revised NSR regulation, because it allows credits for emission reductions resulting from shutting down an existing source or curtailing production or operating hours below baseline levels in all nonattainment areas, even those for which EPA has not approved an attainment demonstration. This issue is discussed in more detail later in this notice in the *EPA Analysis* section.

Virginia has one ozone nonattainment area. That area is Virginia's portion of the Metropolitan Washington DC serious ozone nonattainment area. At the time of its NSR SIP submittal, the Richmond area was classified as moderate ozone nonattainment area, and part of the Virginia portion of the Metropolitan Washington, D.C. area (Alexandria City and Arlington County) was designated as nonattainment for carbon monoxide. These two areas have since been redesignated to attainment. The remainder of Virginia is designated as attainment and/or unclassifiable with respect to all other criteria pollutant standards.

Under the CAA, and the Commonwealth's NSR regulation, sources of VOC or NO<sub>x</sub> located in Virginia's serious ozone nonattainment area are considered major if they have the potential to emit 50 TPY or more of volatile organic compounds (VOC) or nitrogen oxides (NO<sub>x</sub>).

### III. CAA's Specific NSR Requirements

According to section 172(c)(5) of the CAA, SIPs must require that certain NSR requirements be met by any person seeking to construct a new major source to be located in a nonattainment area, or to make a major modification to a major source in such an area, if the source or modification is or would be major for the pollutant for which the area is designated as nonattainment. There are also special statutory permit requirements for ozone nonattainment areas, which are generally contained in revised section 173, and in subpart 2 of part D.