

helpline can be reached at (202) 208-2474.

David P. Boergers,
Secretary.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-6479-6]

Notice of Proposed Administrative Order on Consent Under the Resource Conservation and Recovery Act, as Amended, 42 U.S.C. 6973, Gates Corporation, Boone, IA; Docket No. RCRA-7-99-0019

AGENCY: Environmental Protection Agency.

ACTION: Notice of proposed administrative order on consent, Gates Corporation, Boone, Iowa; and opportunity for public meeting and public comment.

SUMMARY: Notice is hereby given that a proposed administrative order on consent regarding Gates Corporation was signed by the United States Environmental Protection Agency (EPA) on September 30, 1999. The facility that is the subject of this consent order is the Gates Rubber Company, located in Boone, Iowa. EPA will receive public comments and requests for a public meeting in the affected area on the proposed settlement. If a public meeting is to be held, additional notice will be provided; otherwise, no public meeting is currently scheduled.

DATES: EPA will receive, on or before December 23, 1999, written comments relating to the proposed administrative order on consent and requests for a public meeting in the affected area.

ADDRESSES: Comments should be addressed to Robert Richards, Assistant Regional Counsel, United States Environmental Protection Agency, Region VII, 901 N. 5th Street, Kansas City, Kansas 66101 and should refer to *Gates Corporation, Boone, Iowa Docket No. RCRA-7-99-0019*.

The proposed consent order may be examined or obtained in person or by mail at the office of the United States Environmental Protection Agency, Region VII, 901 N. 5th Street, Kansas City, KS 66101, (913) 551-7502.

SUPPLEMENTARY INFORMATION: Respondent (Gates Corporation) owns and operates a facility under the name of Gates Rubber Company (Facility), located at 2121 Industrial Park Blvd., Boone, Iowa. Respondent assembles hydraulic hoses at the Facility. As a

result of business operations, Respondent generates solid and hazardous waste. Solvent contamination was initially identified during a geotechnical exploration on the Facility property in May 1997.

Tetrachloroethylene (PCE) has been identified in the soil and groundwater at the Facility and is believed to have originated from an above ground storage tank that was previously used at the Facility. Several other volatile hydrocarbons have also been identified in the soil and/or groundwater media. The release of PCE into the environment at the facility is enough to contaminate the groundwater to a level that exceeds the EPA established maximum contaminant level for PCE in drinking water. The continued migration of the contaminants off the Facility property may threaten human health and the environment.

Respondent has agreed to undertake all actions required by the terms and conditions of the consent order, including submission of work plans and reports pursuant to EPA guidance, implementation of additional work deemed to be necessary by EPA and documentation of financial assurance.

This is a proposed order subject to public comment. The EPA may withdraw its consent to this order if comments received during the comment period or at any requested public meeting disclose facts or considerations which indicate this order is inappropriate, improper or inadequate.

Dated: October 28, 1999.

Dennis Grams,

Regional Administrator, Region VII.

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ENVIRONMENTAL PROTECTION AGENCY

[AZ-016-COLMP; FRL-6480-2]

Adequacy Status of the Pima County Submitted CO Limited Maintenance Plan for Transportation Conformity Purposes

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Adequacy.

SUMMARY: In this notice, EPA is notifying the public that we have found that Pima County submitted CO Limited Maintenance Plan is adequate for conformity purposes. On March 2, 1999, the D.C. Circuit Court ruled that submitted SIPs cannot be used for conformity determinations until EPA has affirmatively found them adequate.

As a result of our finding, Pima County is not required to use a motor vehicle emissions budget from the submitted CO Limited Maintenance Plan for future conformity determinations. This determination is effective December 8, 1999.

DATES: These budgets are effective December 8, 1999.

FOR FURTHER INFORMATION CONTACT: The finding and, if any comments are received, the response to comments are 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").

Karina O'Connor, U.S. EPA, Region IX, Air Division AIR-2, 75 Hawthorne Street, San Francisco, CA 94105; (415) 744-1247 or occonnor.karina@epa.gov.

SUPPLEMENTARY INFORMATION:

Background

Today's notice is simply an announcement of a finding that we have already made. EPA Region IX sent a letter to the Arizona Department of Environmental Quality on September 30, 1999 stating that the Pima County submitted CO Limited Maintenance Plan is adequate for conformity purposes. This finding has also been 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 (SIPs) 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 memo 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: November 15, 1999.

Felicia Marcus,

Regional Administrator, Region IX.

[FR Doc. 99-30514 Filed 11-22-99; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-6472-7]

Draft NPDES General Permits For Non-Contact Cooling Water Discharges in the States of Maine, Massachusetts, and New Hampshire

AGENCY: Environmental Protection Agency (EPA)

ACTION: Notices of Draft NPDES General Permits—MEG250000, MAG250000, AND NHG250000.

SUMMARY: The Director of the Office of Ecosystem Protection, EPA-New England, is issuing Notice of Draft National Pollutant Discharge Elimination System (NPDES) general permits for non-contact cooling water discharges to certain waters of the States of Maine, Massachusetts, and New Hampshire for the purpose of reissuing the current permit which expired on May 31, 1999. These general NPDES permits establish notice of intent (NOI) requirements, effluent limitations, standards, prohibitions and management practices for the non-contact cooling water discharges. Owners and/or operators of facilities discharging non-contact cooling water including those currently authorized to discharge under the expired general permit will be required to submit to EPA-New England, a notice of intent to be covered by the appropriate general permit and will receive a written notification from EPA of permit coverage and authorization to discharge under one of the general permits. The eligibility requirements are discussed in detail under Section D.3.b and the reader is strongly urged to go to that section before reading further. This general permit does not cover new sources as defined under 40 CFR 122.2.

DATES: For comment period: interested persons may submit comments on the draft general permits as part of the administrative record to the Environmental Protection Agency, New England Region, at the address given in the preceding section no later than December 23, 1999. The general permit shall be effective on the date specified

in the final general permit published in the **Federal Register** and will expire five years from the final publication of the **Federal Register**.

ADDRESSES: The draft permit is based on an administrative record available for public review at the Environmental Protection Agency, Office of Ecosystem Protection (CMA), 1 Congress Street, Suite 1100, Boston, Massachusetts 02114-2023. The following FACT SHEET AND SUPPLEMENTARY INFORMATION section sets forth principal facts and the significant factual, legal, and policy questions considered in the development of the draft permits. A reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT:

Additional information concerning the draft permit may be obtained between the hours of 9 a.m. and 5 p.m. Monday through Friday excluding holidays from: Suproakash Sarker, Office of Ecosystem Protection, Environmental Protection Agency, 1 Congress Street, Suite 1100, Boston, MA 02114-2023, telephone: 617-918-1693

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- States of MA and NH—change in monitoring requirements for flow, temperature and pH.

- State of MA—addition of monitoring requirement for total residual chlorine if potable water is used in the non-contact cooling water.

- State of NH—limits of pH flexibility is added.

- All States—commingling of non-contact cooling water effluent is allowed so long as the effluent can be monitored before it mixes with other streams of wastewater.

- Notification and eligibility to apply are transferred from Fact Sheet and Supplemental Information to Part I, Permit Section I.D.

Fact Sheet and Supplementary Information

I. Introduction

The Director of the Office of Ecosystem Protection, EPA-New England, is issuing draft general permits for non-contact cooling water discharges to certain waters of the States of Maine, Massachusetts, and New Hampshire. This notice contains Part I for the draft general NPDES permits and Part II, Standard Conditions.

II. Coverage of General Permits

Section 301(a) of the Clean Water Act (the Act) provides that the discharge of pollutants is unlawful except in accordance with a National Pollutant Discharge Elimination System (NPDES) permit unless such a discharge is otherwise authorized by the Act. Although such permits to date have generally been issued to individual discharges, EPA's regulations authorize the issuance of "general permits" to categories of discharges (see 40 CFR 122.28). EPA may issue a single, general permit to a category of point sources located within the same geographic area whose discharges warrant similar pollution control measures.

A. The Director of an NPDES permit program is authorized to issue a general permit if there are a number of point sources operating in a geographic area that:

1. Involve the same or substantially similar types of operations;
2. Discharge the same types of wastes;
3. Require the same effluent limitations or operating conditions;
4. Require the same or similar monitoring requirements; and
5. In the opinion of the Director, are more appropriately controlled under a