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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 81

[FRL -]

Identification of Ozone Areas Attaining the 1-Hour Standard
and to Which the 1-Hour Standard is No Longer Applicable

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA proposes to approve the identification of ozone areas attaining the 1-hour standard and to which the 1-hour standard is no longer applicable. In the final rules section of this Federal Register, the EPA is approving the amendment to 40 CFR part 81 to reflect ozone areas where the 1-hour standard will cease to apply because they have not measured a current violation of the 1-hour standard. For all other areas, the 1-hour standard will continue to apply; such ozone areas will also be shown in 40 CFR part 81.

Because the Agency views such action as a noncontroversial amendment and anticipates no adverse comments, the EPA is approving the amendment to 40 part 81 as a direct final rule without prior proposal. Today's regulation is being promulgated in direct response to the President's memorandum of July 16, 1997 which directed the EPA to publish within 90 days this action. A detailed rationale for this action is set forth in the direct final rule. If no adverse comments

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are received in response to that direct final rule, no further activity is contemplated in relation to this proposed rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this document.

DATES: To be considered, comments must be received on or before **[insert date 30 days from date of publication]**.

ADDRESSES: Written comments should be addressed to: Annie Nikbakht (policy) or Barry Gilbert (air quality data), Office of Air Quality Planning and Standards, Air Quality Strategies and Standards Division, Ozone Policy and Strategies Group, MD-15, Research Triangle Park, NC 27711.

Electronic comments can be sent directly to EPA at:

A-and-R-Docket@epamail.epa.gov. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in WordPerfect in 5.1 file

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format or ASCII file format. All comments and data in electronic form must be identified by the docket number A-

97-42. Electronic comments on this proposed rule may be filed online at many Federal Depository Libraries.

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

Date: _____

Carol M. Browner
Administrator