

that otherwise satisfies the provisions of the Clean Air Act.

Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. As required by section 3 of Executive Order 12988 (61 FR 4729, February 7, 1996), in issuing this rule, EPA has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct. EPA has complied with Executive Order 12630 (53 FR 8859, March 15, 1988) by examining the takings implications of the rule in accordance with the "Attorney General's Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings" issued under the executive order. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Ozone.

Authority: 42 U.S.C. 7401 *et seq.*

Dated: August 11, 2000.

Mindy Lubber,

Regional Administrator, EPA New England.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 61

[FRL-6855-3]

RIN 2060-A190

National Emission Standards for Hazardous Air Pollutants; Standard for Emissions of Radionuclides Other Than Radon From Department of Energy Facilities; Standard for Radionuclide Emissions From Federal Facilities Other Than Nuclear Regulatory Commission Licensees and Not Covered by Subpart H

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed rulemaking; reopening of public comment period.

SUMMARY: The Environmental Protection Agency (EPA), Office of Radiation and Indoor Air, Radiation Protection Division, Center for Waste Management is extending the comment period on the proposed rule to amend 40 CFR part 61, subpart H as it applies to operations at any facility owned or operated by the Department of Energy (DOE) that emits

any radionuclide other than radon-222 and radon-220 into the air and subpart I as it applies to non-DOE federal facilities in the radionuclide National Emission Standards Hazardous Air Pollutants (NESHAPs) (65 FR 29934, May 9, 2000). A public hearing was held on Wednesday, July 12, 2000, from 9:00 am to 12:00 pm. The comment period for this hearing was to end on August 14, 2000. This comment period is extended to October 6, 2000.

DATES: EPA will continue to accept public comments on this proposed rule until October 6, 2000.

ADDRESSES: Comments must be submitted, in duplicate, to: Central Docket (6102), Attn: Docket No. A-94-60, U.S. Environmental Protection Agency, 401 M Street, SW, Room M1500, Washington, DC 20460. The docket is available for public inspection between the hours of 8:00 am and 5:00 pm, Monday thru Friday, in Room M1500 of Waterside Mall at the above address. A reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT:

Eleanor Thornton-Jones, Center for Waste Management, Office of Radiation and Indoor Air, U.S. Environmental Protection Agency, Mailstop 6608J, Ariel Rios Building, 1200 Pennsylvania Avenue, NW, Washington, DC 20460, by email: thornton.eleanord@epa.gov or by phone (202) 564-9773. Comments can also be faxed to Ms. Thornton-Jones at (202) 565-2065.

SUPPLEMENTARY INFORMATION

On May 9, 2000 (65 FR 29934) EPA proposed to amend 40 CFR part 61, subpart H (subpart H) as it applies to operations at any facility owned or operated by the Department of Energy (DOE) that emits any radionuclide other than radon-222 and radon-220 into the air and subpart I as it applies to non-DOE federal facilities in the radionuclide National Emission Standards Hazardous Air Pollutants (NESHAPs). Subparts H and I require emission sampling, monitoring and calculations to identify compliance with the standard. To sample and monitor these radionuclide air emissions, subpart H in § 61.93(b)(2)(ii), and subpart I in § 61.107(b)(2)(ii), both require radionuclide emissions from point sources to be measured in accordance with the guidance presented in the American National Standard Guide to Sampling Airborne Radioactive Materials in Nuclear Facilities, ANSI N13.1-1969. In 1999, this ANSI standard was revised and replaced by the new ANSI N13.1-1999 standard, entitled "Sampling and Monitoring Releases of Airborne Radioactive

Substances from the Stacks and Ducts of Nuclear Facilities." This proposed amendment was to amend subpart H and subpart I to incorporate the new ANSI N13.1-1999 standard.

On July 12, 2000, a public hearing was held on the proposed rule to amend 40 CFR part 61, subpart H and subpart I. At the time of the hearing, EPA verbally gave an extension for the public to submit comments until August 14, 2000. EPA received a request to extend the comment period from August 14 to August 21, 2000 from the ANSI N13.1 NESHAPs Comment Group. After considering this request, EPA has decided to extend the comment period an additional 45 days for this proposal. Comments should be submitted on or before October 6, 2000.

Dated: August 15, 2000.

Mary T. Smith,

Acting Director, Office of Radiation and Indoor Air, Air and Radiation.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-AF97

Endangered and Threatened Wildlife and Plants; Reopening of Comment Period and Notice of Availability of Draft Economic Analysis on Proposed Critical Habitat Determination for the San Diego Fairy Shrimp

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule; reopening of comment period and notice of availability of draft economic analysis.

SUMMARY: The U.S. Fish and Wildlife Service announces the availability of a draft economic analysis for the proposed designation of critical habitat for the San Diego fairy shrimp (*Branchinecta sandiegonensis*). We also provide notice of the reopening of the comment period for the proposal to allow all interested parties to submit written comments on the proposal and on the draft economic analysis. Comments previously submitted need not be resubmitted as they will be incorporated into the public records as a part of this reopening and will be fully considered in the final rule.

DATES: The original comment period on the critical habitat proposal closed on May 8, 2000. The comment period is again reopened and we will accept