

considered the applicable budgets until replaced by subsequent budgets in accordance with 40 CFR 93.118. In addition, this determination that the budgets are not adequate does not have any adverse implications on the conformity process or the current conforming transportation Plan or program.

The effective date of this determination is May 9, 2001, the date of the EPA's letter that notified the TNRCC of our inadequacy determination. Even though adequacy determinations are not considered rulemaking subject to procedural requirements of the Administrative Procedures Act, the EPA's policy is to provide a notice and comment period on adequacy determinations through its conformity web site. However, we are not providing opportunity for comment on this inadequacy determination because adequacy determinations are not considered rulemaking subject to the procedural requirements of the Administrative Procedures Act. In addition, the EPA does not believe that it was necessary to provide an opportunity for advance notice or comment on this inadequacy determination because we believe it is clear that the budgets can no longer be considered adequate and consistent with attainment. There was also good cause to act expeditiously in order to protect the public interest, given the potential May 12, 2001, conformity lapse date under 40 CFR 93.104(e)(2) and its associated restrictions. Making this action effective on May 9, 2001, would relieve these restrictions. The substance of the revised attainment budgets will be further reviewed by EPA as part of its final decision to approve or disapprove the HGA Ozone Attainment Demonstration SIP for the Houston nonattainment area. The EPA will consider all of these submissions as well as all public comments in our evaluation whether to approve or disapprove the HGA Ozone Attainment Demonstration SIP.

The EPA will also announce this inadequacy determination on its conformity web site at <http://www.epa.gov/oms/traq>.

Dated: June 19, 2001.

**Lynda F. Carroll,**

*Acting Regional Administrator, Region 6.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7006-8]

### **Adequacy Status of Motor Vehicle Budgets in Submitted State Implementation Plans for Transportation Conformity Purposes; Maryland; Revisions to the Phase II Plan for the Baltimore Ozone Nonattainment Area: Revised To Reflect the Benefits of the Tier 2/ Sulfur-in-Fuel Rule**

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

**ACTION:** Notice of adequacy status.

**SUMMARY:** EPA is announcing that the revised motor vehicle emissions budgets (budgets) contained in the revised Phase II Plan for the Baltimore Ozone Nonattainment Area (the Baltimore area) submitted by the Maryland Department of the Environment (MDE) as a State Implementation Plan (SIP) revision are adequate for transportation conformity purposes. The revised Phase II Plan was submitted to EPA on December 28, 2001. These amendments to Maryland's Phase II Plan for the Baltimore area include revisions to its budgets to reflect the emission reduction benefits associated with the Tier 2 Vehicle Standards/Sulfur-in Fuel rule. EPA has found the budgets in Maryland's revised Phase II Plan for the Baltimore area adequate for transportation conformity purposes.

**DATES:** The findings that the budgets are adequate were made in a letter dated June 19, 2001, from EPA Region III to the Maryland Department of the Environment. These adequacy findings are effective on July 20, 2001.

**FOR FURTHER INFORMATION CONTACT:** Paul T. Wentworth, P.E., U.S. EPA, Region III, 1650 Arch Street, Philadelphia, PA 19103 at (215) 814-2183 or by e-mail at: [wentworth.paul@epa.gov](mailto:wentworth.paul@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

Throughout this document "we," "us," or "our" refer to EPA. The word "budgets" refers to the motor vehicle emission budgets for volatile organic compounds (VOCs) and nitrogen oxides (NO<sub>x</sub>). The word "SIP" in this document refers to the revised Phase II Plan for the Baltimore area submitted by MDE to EPA on December 28, 2000. The revised Phase II Plan includes the 2005 attainment demonstration motor vehicle emissions budgets for the Baltimore nonattainment area.

On March 2, 1999, the D.C. Circuit Court ruled that budgets contained in submitted SIPs cannot be used for conformity determinations until EPA

has affirmatively found them adequate. By a transmittal letter dated December 28, 2000, the MDE formally submitted revisions to the Phase II Plan for the Baltimore area. On January 17, 2001, we posted the availability of the revised Phase II Plan and the budgets on our conformity website for the purpose of soliciting public comment on the adequacy of the budgets. The comment period closed on February 16, 2001.

On June 19, 2001, EPA Region III sent a letter to the Maryland Department of the Environment which constitutes final Agency action on the adequacy of the budgets contained in the revised Phase II SIP. Those actions were EPA's findings that the budgets of the revised Phase II plan submitted by MDE for the Baltimore area are adequate for transportation conformity purposes. As a result of our June 19, 2001 findings, the attainment budgets for 2005 contained in Maryland's December 28, 2000 revised Phase II SIP for the Baltimore nonattainment area may be used for future conformity determinations.

This is an announcement of adequacy findings that we have already made on June 19, 2001. The effective date of these findings is July 20, 2001. These findings will also be announced on EPA's website: <http://www.epa.gov/oms/traq> (once there, click on the "Conformity" button, then look for "Adequacy Review of Submissions for Conformity"). The website will also contain a detailed analysis of our adequacy findings and our responses to the comments submitted during our January 17, 2001–February 16, 2001 public comment period.

Transportation conformity is required by section 176 of the Clean Air Act. EPA's conformity rule requires that transportation plans, programs, and projects conform to SIPs and establishes the criteria and procedures for determining whether or not they do so. 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 EPA determines whether a SIP's budgets are adequate for conformity purposes are found 40 CFR 93.118(e)(4).

Please note that an adequacy finding for budgets contained in a SIP is separate from EPA's completeness determination of the SIP submission, and separate from EPA's action to approve or describe our process for determining the adequacy of submitted SIP budgets in guidance memorandum dated May 14, 1999 and titled

"Conformity Guidance on Implementation of March 2, 1999 Conformity Court Decision". We followed this guidance in making these adequacy findings of the budgets in Maryland's revised Phase II plan. You may obtain a copy of this guidance from EPA's conformity web site: <http://www.epa.gov/oms/traq> (once there, click on the "Conformity" button) or by calling the contact name listed in "For Further Information Contact" section of this notice.

**Authority:** 42 U.S.C. 7401-7671q.

**Dated:** June 22, 2001.

**William C. Early,**

*Acting Regional Administrator, Region III.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7006-6]

### Final Information Products Bulletin Framework Plan

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

**ACTION:** Notice.

**SUMMARY:** The Information Products Bulletin (IPB) is a new joint effort between the U.S. Environmental Protection Agency (EPA) and The Environmental Council of the States (ECOS). The purpose of this framework plan is to outline the basis and scope of the IPB. The IPB will be launched in Summer 2001 and will be updated every four months, both in hard copy and on the World Wide Web. It will inform stakeholders and the public about upcoming significant information products being produced by EPA and some of the states. This will include, in some cases, the identification of opportunities for stakeholder and public involvement in the development of such products.

**ADDRESSES:** U.S. Environmental Protection Agency, Office of Environmental Information/Office of Information Analysis and Access, Mail Code: 2843, 1200 Pennsylvania Avenue, NW., Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:** For further information about the Information Products Bulletin (IPB), please contact the EPA's Office of Information Analysis and Access/Information Access Division at (202) 260-2846, Fax: 202-401-1315.

#### SUPPLEMENTARY INFORMATION:

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### I. What Is the Information Products Bulletin?

The Information Products Bulletin (IPB) is a joint effort between the U.S. Environmental Protection Agency (EPA) and the Environmental Council of the States (ECOS) to inform stakeholders and the public about upcoming significant information products being produced by EPA and states. ECOS is the national nonprofit, nonpartisan association of state and territorial environmental commissioners. EPA and the states are committed to ensuring that the significant information products we produce are accurate and useful, and that we clearly characterize the data incorporated into these products.

The Information Products Bulletin will:

- Notify interested parties about significant information products under development or major modification by EPA and some states.
- Alert stakeholders and the public about opportunities to provide input regarding the development of some significant information products.
- Be launched in Summer 2001 and will be updated every four months.
- Be available on the Web, as well as in hard copy for those who do not have access to the Internet.

The IPB is NOT intended to provide a comprehensive list of the information products that EPA or states have already completed and released to the public.

EPA has already developed an interim IPB Web site. It is not as detailed as the full IPB will be and does not include information about stakeholder or public involvement opportunities for individual products. You can view the interim IPB Web site at [[www.epa.gov/ipbpages](http://www.epa.gov/ipbpages)].

### II. Changes Since Draft Framework Plan

A draft IPB Framework Plan was published in the **Federal Register** on November 30, 2000 (65 FR 71314). EPA received comments from five organizations and individuals. This final Framework Plan reflects changes made in response to the comments

submitted, as well as editorial changes made to clarify the purpose and scope of the IPB. A Response to Comments document is included at the end of this Framework Plan.

### III. Background on Creation of the IPB

Each year, EPA and the states produce information products for the general public that are derived from federal, state, local, tribal or other organizations' data. These products may include analyses and/or draw conclusions about primary data in order to describe environmental conditions, trends, potential risks, and/or the performance of companies, facilities and communities.

In November 1999, EPA and the Environmental Council of the States (ECOS) met with representatives from states, tribes, industry, environmental and public interest groups to discuss issues regarding public access to information products. The IPB was initiated as an outgrowth of discussions that took place at that meeting. It is one of several efforts by EPA and the states to advance the creation and use of data to enhance public health and environmental protection, inform decision-making, and improve the public's access to information about environmental conditions and trends. Informing the public and providing access to sound environmental information, in formats that meet the needs of major stakeholders and the public, are essential components of a comprehensive environmental protection program. The IPB is intended to notify the public of "significant information products" under development, and identify opportunities for stakeholder and public involvement during the development of certain products. The IPB is not intended to be the initial or primary notification device for informing state co-regulators about significant new products.

### IV. Criteria for Including and Excluding Products

The IPB includes a description of the upcoming significant information products being produced by EPA and some states. Only those products currently under development that meet the following definition of a "significant information product" will be included in the IPB:

*A "significant information product" uses national or regional data to describe environmental conditions, trends, and/or the performance of companies, facilities and communities.*

In addition, the following criteria have been developed for determining