

Sussex, DE; and York, PA ozone nonattainment areas classified as marginal have attained the ozone air quality standard by their November 15, 1993 attainment date. Finally, this action proposes a determination that the Kent and Queen Anne's Counties, MD marginal ozone nonattainment area attained the ozone standard by November 1994. These actions are based on monitored air quality readings for ozone during the years 1991–1994.

In the final rules section of this **Federal Register**, EPA is approving the reclassification of the Hampton Roads area and the attainment determinations for the Allentown-Bethlehem-Easton, Altoona, Erie, Greenbrier, Harrisburg-Lebanon-Carlisle, Johnstown, Kent and Queen Anne's Counties, Lancaster, Scranton-Wilkes-Barre, Youngstown-Warren-Sharon, Sussex, and York areas as a direct final rule without prior proposal because the Agency views this as a noncontroversial SIP revision and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this 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 If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

DATES: Comments must be received in writing by February 16, 1995.

ADDRESSES: Written comments on this action should be addressed to Thomas J. Maslany, Director, Air, Radiation, and Toxics Division (3AT00), 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, Radiation, and Toxics Division, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107.

FOR FURTHER INFORMATION CONTACT: Maria A. Pino, (215) 597-9337, at the EPA Regional office listed above.

SUPPLEMENTARY INFORMATION: See the information provided in the Direct Final action of the same title, pertaining to the reclassification of the Hampton Roads ozone nonattainment area, which is located in the Rules and Regulations Section of this **Federal Register**.

By action dated December 20, 1994, the EPA Administrator delegated to the Regional Administrators the authority to determine whether ozone nonattainment areas attained the NAAQS.

List of Subjects in 40 CFR Part 81

Environmental protection, Air pollution control, Ozone.

Authority: 42 U.S.C. 7401–7671q.

Dated: January 5, 1995.

Peter H. Kostmayer,

Regional Administrator.

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LEGAL SERVICES CORPORATION

45 CFR Part 1604

Outside Practice of Law

AGENCY: Legal Services Corporation.

ACTION: Proposed rule.

SUMMARY: This proposed regulation would amend the Legal Services Corporation's ("Corporation" or "LSC") regulation relating to the outside practice of law by full-time legal services attorneys. The rule is substantively restructured and revised to clarify the exact scope of the restrictions on compensated and uncompensated outside practice so that program attorneys will not be unduly restricted from complying with their professional obligations. The proposed rule also amends definitions and allows for the separate treatment of court appointments.

DATES: Comments should be received on or before March 20, 1995.

ADDRESSES: Comments should be submitted to the Office of the General Counsel, Legal Services Corporation, 750 First St., NE, 11th Floor, Washington, DC 20002–4250.

FOR FURTHER INFORMATION CONTACT: Victor M. Fortunato, General Counsel, (202) 336–8810.

SUPPLEMENTARY INFORMATION: On September 16 and October 27, 1994, the Operations and Regulations Committee ("Committee") of the LSC Board of Directors held public hearings on proposed revisions to 45 CFR Part 1604, LSC's regulation on the outside practice of law. At the October 27, 1994, meeting in Washington, DC, the Committee approved a proposed rule to be published in the **Federal Register** for public comment, and agreed to extend the customary 30-day comment period to 60 days.

The Corporation recognizes that legislation to amend the LSC Act and reauthorize appropriations for the Corporation may be considered by Congress. If such legislation does become law, the Corporation's regulations will be revisited and revised accordingly.

Section Analysis

Section 1604.1 Purpose

This section sets out the framework for other changes that appear in this proposed rule. The Committee added language to authorize a recipient to adopt written policies to permit its program attorneys to engage in pro bono legal assistance and to comply with their obligations as members of the Bar and officers of the court. The rule recognizes, however, that those demands must not interfere with the attorneys' overriding responsibility to serve the program's eligible clients. The Committee also added language to clarify that this part should not be construed to permit recipients to unduly restrict legal services attorneys from engaging in those activities. The use of the word "unduly" acknowledges that there may be some restrictions imposed by the LSC Act or by recipients that are necessary to accomplish the overriding goals of the LSC Act.

Section 1604.2 Definitions

Section 1604.2(a) "Full-time Attorney"

The definition of "attorney" is deleted, because it is inconsistent with the definition of "attorney" in Part 1600. Instead, a definition of "full-time attorney" is added that incorporates the definition of "attorney" in Part 1600. A "full-time attorney" is defined as an attorney who is a full-time employee of a recipient.

A separate definition of "full-time" has not been included. The decision of what constitutes "full-time" is left to the recipient's own personnel and outside practice policies and to any appropriate statutory definitions found elsewhere.

Section 1604.2(b) "Outside Practice of Law"

This definition explains what outside practice is, rather than what it is not. The regulation is intended to apply only to outside practice of law by recipients' employees and not to other outside activities by recipients' employees that do not constitute the outside practice of law.

The words "receiving that" are substituted for "entitled to receive." This revision makes it clear that an attorney could represent a client who is eligible for representation from the