

of Part D, Title 1, of the Clean Air Act as amended in 1977, except as noted below. In addition, continued satisfaction of the requirements of Part D for the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by July 1, 1980 for the sources covered by CTGs issued between January 1978 and January 1979 and adoption and submittal by each subsequent January of additional RACT requirements for sources covered by

CTGs issued by the previous January.  
3. Section 52.427 is added as follows:

#### §52.427 Extensions.

The Administrator hereby extends to December 31, 1987, the attainment date for ozone in New Castle County.

4. In Section 52.428 the table is revised as follows:

#### §52.428 Attainment dates for national standards.

\* \* \* \* \*

| Air quality control region                      | Pollutant*         |           |               |           |                 |    |
|-------------------------------------------------|--------------------|-----------|---------------|-----------|-----------------|----|
|                                                 | Particulate matter |           | Sulfur oxides |           | NO <sub>x</sub> | CO |
|                                                 | Primary            | Secondary | Primary       | Secondary |                 |    |
| Metropolitan Philadelphia Interstate            | d                  | d         | a             | c         | d               | c  |
| Wilmington                                      | d                  | d         | a             | c         | d               | c  |
| Portions of Newark as defined in 40 CFR Part 81 | d                  | d         | a             | c         | d               | c  |
| Remainder of AQCR                               | a                  | b         | a             | c         | d               | c  |
| Southern Delaware Intrastate                    | d                  | d         | d             | d         | d               | d  |

a. January 1972.

b. January 1973.

c. January 1974.

d. Below Secondary Standards or Unclassifiable.

e. Dec. 31, 1987.

\* Sources subject to plan requirements and attainment dates established under Section 110(a)(2)(A) prior to the 1977 Clean Air Amendments remain obligated to comply with those requirements by the earlier deadlines. (40 CFR 52.428, 1978.)

5. Section 52.433 is added as follows:

**§52.433 Control strategy: Ozone (hydrocarbons)—The Delaware Plan is approved provided that the following conditions are satisfied.**

(a) The definitions of "vapor-tight", "reconstruction", and "lowest achievable emission rate" are revised.

(b) Section 9.2 of Regulation XXIV is revised to state that the 40 pounds per day exemption (VOC emissions) refers to the entire source and not each individual coating line.

(c) Test procedures for determining compliance with §§ 5.1, 7.1, 11.1A(3)(iv), 11.2B(3)(iv), and 11.3B(1)(ii) of Delaware's regulations are adopted. Respectively, these sections cover delivery vessels, bulk gasoline terminals, cold cleaning facilities, open top vapor degreasers and conveyORIZED degreasers.

(d) Categorical compliance schedules for future effective regulations are adopted and submitted.

(e) Inspection/Maintenance emission standards are adopted to support Delaware's commitment to a program adequate to provide a 25% overall reduction of hydrocarbon emissions from light duty vehicles by December 31, 1987.

(f) A specific commitment to use available grants and funds to establish, expand, and improve public

transportation to meet basic transportation need is submitted.

(g) An asphalt emulsion solvent content is specified.

(h) A commitment by WILMAPCO not to give its approval to any project, program, or plan which does not conform to the SIP is submitted.

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#### 40 CFR Part 52

[FRL 1416-5]

#### Guam Implementation Plan Revision

**AGENCY:** Environmental Protection Agency.

**ACTION:** Final rulemaking.

**SUMMARY:** The Environmental Protection Agency (EPA) takes final action to approve and, where appropriate, takes no action on changes to the Guam Implementation Plan submitted by the Governor's designee. The intended effect of this action is to update rules and regulations and to correct certain deficiencies in the implementation plan.

**EFFECTIVE DATE:** April 7, 1980.

**FOR FURTHER INFORMATION CONTACT:** Louise P. Giersch, Director, Air and Hazardous Materials Division, Environmental Protection Agency, 215 Fremont Street, San Francisco,

California 94105, Attn: Douglas Grano, (415) 556-2938.

**SUPPLEMENTARY INFORMATION:** On December 14, 1979 (44 FR 72614) EPA published a Notice of Proposed Rulemaking for revisions to the Guam Air Pollution Control Standards and Regulations submitted on October 12, 1979 by the Governor's designee for inclusion in the Guam Implementation Plan. This notice only concerns Chapter 13 of the regulations. Action will be taken on the remaining revisions in a separate Federal Register notice.

Chapter 13, Control of Sulfur Dioxide Emission, consists of Rules 13.1, 13.2, 13.3, and 13.4. This Chapter provides emission limits for sulfur dioxide emissions from such sources as fuels, flue gases, and fossil-fuel fired steam generators.

The December 14, 1979 Notice of Proposed Rulemaking provided 30 days for public comment. No comments were received during the comment period.

Under Section 110 of the Clean Air Act as amended and 40 CFR Part 51, the Administrator is required to approve or disapprove regulations submitted as implementation plan revisions. The revisions have been evaluated in accordance with the Clean Air Act, 40 CFR Part 51, and EPA policy. It is the purpose of this notice to take final action as discussed below.

EPA approves Rules 13.3 and 13.4 and incorporates them into the implementation plan, as they are consistent with EPA requirements. Rule 13.3 is similar to the previously approved rule except that it has been renumbered. Rule 13.4 is new rule which provides more stringent emission limits for sulfur dioxide. In addition, EPA approves the deletion of the previously approved Rule 13.3 since the deletion will not interfere with the attainment and maintenance of the National Ambient Air Quality Standards.

No action is being taken on Rules 13.1 and 13.2. Action will be taken in a separate Federal Register notice.

Under Executive Order 12044 EPA is required to judge whether a regulation is "significant" and therefore subject to the procedural requirements of the Order or whether it may follow other specialized development procedures. EPA labels these other regulations "specialized." EPA has reviewed the regulations being acted upon in this notice and determined that they are specialized regulations not subject to the procedural requirements of Executive Order 12044.

The Territory of Guam has certified that the public hearing requirements of 40 CFR 51.4 have been satisfied.

(Secs. 110, 301(a), Clean Air Act as amended (42 U.S.C. 7410 and 7601(a))

Dated: February 28, 1980.

Douglas M. Costle,  
Administrator.

Subpart AAA of Part 52 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

#### Subpart AAA—Guam

1. Section 52.2670 is amended by adding paragraph (c)(2) as follows:

##### § 52.2670 Identification of plan.

\* \* \* \* \*

(c) \* \* \*

(2) Amendments to the Guam Air Pollution Control Standards and Regulation submitted on October 12, 1979 by the Governor's designee.

(i) Chapter 13—Control of Sulfur Dioxide Emission, 13.3, 13.4.

(ii) Deleted without replacement Rule 13.3 (submitted January 25, 1972).

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#### 40 CFR Part 52

[FRL 1414-4]

#### Approval and Promulgation of Implementation Plans; Revision to the New York State Implementation Plan

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

**SUMMARY:** This notice announces that the Environmental Protection Agency (EPA) is approving a revision to the New York State Implementation Plan. This action has the effect of approving the State issuance of a "special limitation" to allow a temporary relaxation of the fuel oil sulfur content limitation applicable to the Long Island Lighting Company's Glenwood Generating Station, Units 4 and 5, in Glenwood Landing, New York, and its E. F. Barrett Generating Station, Units 1 and 2, in Oceanside, New York. This "special limitation" will permit the use of fuel oil with a maximum sulfur content of 1.0 percent, by weight, for the Glenwood units, and 1.54 percent, by weight, for the Barrett units. These facilities are currently limited by State regulation to the use of fuel oil with a maximum sulfur content of 0.37 percent, by weight. The "special limitation" will be in effect for a period of three years from the date of EPA's approval. Receipt of the revision request from New York State was announced in the *Federal Register* on January 4, 1980 at 45 FR 1108, where a full description of the proposed revision is contained.

**DATE:** This action becomes effective March 6, 1980.

**FOR FURTHER INFORMATION CONTACT:** William S. Baker, Chief, Air Programs Branch, U.S. Environmental Protection Agency, Region II Office, 26 Federal Plaza, New York, New York 10007, (212) 264-2517.

**SUPPLEMENTARY INFORMATION:** On October 24, 1979, New York State submitted to the Environmental Protection Agency (EPA) a proposed revision to its State Implementation Plan (SIP). The State's revision request was submitted in accordance with all EPA requirements under 40 CFR Part 51, including a public hearing which was held by the State on June 16 and July 6, 1977 as part of an earlier SIP revision request for the same facilities. (Because it was withdrawn by the State, no official EPA action was taken on that previous submittal.)

EPA's approval of the State's "special limitation," issued under the provisions of Part 225.2 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York, will have the effect of allowing the Long Island Lighting Company to temporarily use fuel oil with higher sulfur contents than currently allowed at its Glenwood Generating Station, Units 4 and 5, in Glenwood Landing, New York, and its E. F. Barrett Generating Station, Units 1 and 2, in Oceanside, New York. This "special limitation" will allow the use of fuel oil with a maximum sulfur content of 1.0 percent, by weight, for the Glenwood units, and 1.54 percent, by weight, for the Barrett units. It will be in effect for a period of three years from the date of publication of this notice.

The proposed revision to the SIP was announced in the *Federal Register* on January 4, 1980 (45 FR 1108), where a detailed description of the revision is provided. In this notice EPA advised the public that comments would be accepted as to whether the proposed revision to the New York State Implementation Plan should be approved or disapproved. None were received.

The only comments received were from the Long Island Lighting Company (LILCO), which urged approval of the proposed SIP revision. LILCO's first comment related to the potential for air quality degradation which was discussed in the proposed rulemaking. It stated that this analysis reflected the worst-case condition which could only occur when a new source and the subject power plants are aligned with the wind direction. EPA concurs with this assessment.

LILCO's second comment pointed out that the potential impact of this proposed SIP revision on the air quality of the State of Connecticut is limited both in magnitude and geographic extent. This is confirmed by EPA's analysis.

In its last comment LILCO stated that, because of its retirement of the Glenwood Generating Station's Units 2 and 3, the air quality impact of the proposed SIP revision would be offset to some extent. EPA has not evaluated this comment since it does not pertain directly to the immediate issues of the proposed SIP revision.

Based on EPA's review of the State's technical support documents and hearing officer's report and agreement with the State's conclusion that, if implemented, the proposed plan revision would not be expected to cause or exacerbate contraventions of any national ambient air quality standard or applicable Prevention of Significant Deterioration increments, EPA finds this revision to the New York State Implementation Plan consistent with the requirements of Section 110(a) of the Clean Air Act and EPA regulations found at 40 CFR Part 51. Accordingly, EPA approves this revision. Furthermore, this action is being made effective immediately because it imposes no hardship on the affected source, and no purpose would be served by delaying its effective date.

Under Executive Order 12044, EPA is required to judge whether a regulation is "significant" and therefore subject to the procedural requirements of the Order or whether it may follow other specialized development procedures. EPA labels these other regulations "specialized." I have reviewed this regulation and determined that it is a specialized regulation not subject to the procedural requirements of Executive Order 12044.

Dated: February 28, 1980.

(Secs. 110, 301, Clean Air Act, as amended (42 U.S.C. 7410, 7601))

Douglas M. Costle,  
Administrator, Environmental Protection Agency.

Part 52 of Chapter I, Title 40, Code of Federal Regulations is amended as follows:

#### Subpart HH—New York

1. In § 52.1670, paragraph (c) is amended by adding new subparagraph (45) as follows:

##### § 52.1670 Identification of plans.

\* \* \* \* \*

(c) The plan revisions listed below were submitted on the dates specified.

(45) Revision submitted on October 24, 1979 by the New York State Department of Environmental Conservation which grants a "special limitation" under Part 225. This "special limitation" relaxes, until (three years from the date of publication), the sulfur in fuel oil limitation to 1.0 percent, by weight, for the Long Island Lighting Company's Glenwood Generating Station (Units 4 and 5), and 1.54 percent, by weight, for its E. F. Barrett Generating Station (Units 1 and 2).

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#### 40 CFR Part 52

[FRL 1427-5]

### Approval and Promulgation of State Implementation Plans: Iowa

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

**ACTION:** Final rulemaking.

**SUMMARY:** Part D (Sections 171-178) of the Clean Air Act, as amended in 1977, requires states to revise their State Implementation Plans (SIP) for all areas that have not attained the National Ambient Air Quality Standards (NAAQS). The State of Iowa submitted revisions to its SIP on June 22, 1979. Receipt of the Iowa revisions was announced in the *Federal Register* of July 17, 1979, (44 FR 41488) and public comment was requested at that time. Proposed rulemaking (PRM) on the Iowa submission was published September 7, 1979, (44 FR 52263). This notice takes final action on this plan submission. Many of the plan requirements discussed in the proposal were either satisfactory at the time of submission or have since been satisfied by the state. These items are approved without conditions in this notice. Other items, for various reasons, must be approved with conditions. The conditions are discussed in detail. In some cases, it is not possible at this time to approve certain portions of the state submission. Final action on these items is deferred until it is possible to make an approval/disapproval decision. In one case it is necessary to disapprove a portion of the state plan.

**DATES:** This action is effective March 6, 1980.

**ADDRESSES:** Copies of the state submission, all comments received, and the EPA-prepared evaluation report are

available during normal business hours at the following locations:

Environmental Protection Agency, 324 East 11th Street, Kansas City, Missouri 64106.  
Environmental Protection Agency, Public Information Reference Unit, Room 2922, 401 M Street, SW., Washington, D.C. 20460.  
Iowa Department of Environmental Quality, Henry A. Wallace Building, 900 East Grand, Des Moines, Iowa 50316.

#### FOR FURTHER INFORMATION CONTACT:

Daniel J. Wheeler, Air Support Branch, Environmental Protection Agency, 324 East 11th Street, Kansas City, Missouri 64106, Telephone: 816-374-2880 (FTS 758-2880).

#### SUPPLEMENTAL INFORMATION:

##### A. Background

The Clean Air Act Amendments of 1977 added requirements to the Act for revising SIPs to attain the NAAQS in areas that have not done so. These requirements are found in Part D of the Act. The actual listing of requirements of an approvable nonattainment plan is found in Section 172.

Each SIP is also subject to a number of general requirements that are not necessarily related to the Part D requirements. Section 110 contains general requirements for all SIPs. Section 120 requires penalties on sources which are not in compliance with appropriate limits. Section 121 requires the state to consult with local governments on certain matters. Section 123 limits the availability of dispersion techniques for certain sources. Section 126 relates to interstate pollution abatement. Section 127 requires public notification when health-related air quality standards are violated. Section 128 imposes requirements on conflicts of interest. Part C (Sections 160-169) requires plans to prevent significant deterioration of air quality.

To avoid the statutory restriction on new sources (see 44 FR 38471, July 2, 1979) and to avoid the possibility of limitations on federal assistance as discussed in Section 176, a plan must meet the requirements of Part D. In order for the plan to be fully approvable, it must meet all of the requirements discussed above.

For general background, the reader may refer to the *Federal Registers* of April 4, 1979 (44 FR 20362), July 2, 1979 (44 FR 38583), August 28, 1979 (44 FR 50371) and September 17, 1979 (44 FR 53761) and November 23, 1979 (44 FR 67182). These registers contain the general preamble to the proposed rulemaking for all nonattainment plan submissions. They describe in greater detail the requirements for an approvable nonattainment plan.

The Iowa Department of Environmental Quality (IDEQ), at the request of the Governor, submitted to EPA on June 22, 1979, a package of SIP revisions pertaining to nonattainment areas in Iowa. The submission contained a package of proposed redesignations of attainment status under Section 107 of the Act and plans to attain standards in four cities. The requests for redesignation are acted upon in another notice in this issue of the *Federal Register*.

For a background discussion of the Iowa submission, the reader should refer to the proposed rulemaking on the submission which was published on September 7, 1979 (44 FR 52263).

Public comments received on the Notice of Proposed Rulemaking (PRM) generally indicated support for approving the Iowa plan without conditions or changes. Most of the commentors favored the fugitive dust "allowance" as proposed by the Iowa Air Quality Commission (IAQC). This is discussed in the notice taking final action on the attainment status designations published elsewhere in this issue of the *Federal Register*. Designations are required by Section 107 of the Act, and are codified at 40 CFR Part 81.

Other significant public comments are discussed in the specific topic commented on. All comments are addressed in the rationale for approval available at the state and federal offices noted above.

Based on the final attainment designations, Iowa must have plans to attain the primary particulate standards in Mason City, Cedar Rapids, Des Moines and Davenport. It must have secondary attainment plans for those four cities plus Keokuk, Council Bluffs, Fort Dodge, Sioux City, Clinton, Marshalltown, Muscatine, and Waterloo. The state must also have a sulfur dioxide plan for Dubuque, an ozone plan for Cedar Rapids, and a carbon monoxide plan for Des Moines. The following discussions will compare the Iowa SIP with each of the requirements of the Act and state the approval status of the Iowa plan with respect to each of these requirements.

In some cases EPA is taking final action to conditionally approve portions of the SIP. A discussion of conditional approval and its practical effect appears in the July 2, 1979, supplement to the General Preamble. The conditions require the state to submit additional materials by the deadlines specified in today's notice. There will be no extensions of the conditional approval deadlines promulgated. EPA will follow the procedures described below when