

FOR FURTHER INFORMATION CONTACT:

Walter Bishop, EPA, Region IV, Air Programs Branch, 404/881-3043 or FTS 257-3043.

SUPPLEMENTARY INFORMATION:

On September 10, 1980 (45 FR 59578), EPA gave full approval to the implementation plan revisions which North Carolina had submitted for the Mecklenburg County (Charlotte) ozone nonattainment area. Included in the revisions were RACT (Reasonably Available Control Technology) regulations for the control of eleven categories of sources of volatile organic compounds (VOC) covered by EPA's Control Techniques Guidelines (CTGs). In the Mecklenburg County ozone plan, the State made a commitment to adopt regulations based on subsequently issued CTGs.

On June 12, 1980, following notice and public hearing in conformity with 40 CFR 51.4, the North Carolina Environmental Management Commission adopted revisions in its existing VOC regulations, 15 NCAC 2D.0900, and adopted regulations for the added source categories for which EPA had issued CTGs in the period January 1978 through January 1979 (Set II). These revisions were submitted for EPA's approval on June 23, 1980. The regulations added are in conformity with the CTGs and apply to the following nonattainment area sources which emit as much as 100 tons per year before control: (1) gasoline truck tanks and vapor collection systems, (2) petroleum liquid storage in external floating roof tanks, (3) coating of miscellaneous metal parts and products, (4) factory surface coating of flat wood paneling, (5) graphic arts, (6) manufacture of pneumatic rubber tires, and (7) perchloroethylene dry cleaning systems. The added regulations also provided for the determination of solvent in filter waste. By a letter dated July 31, 1980, the State certified that there are no petroleum refineries or manufacturers of synthesized pharmaceuticals in Mecklenburg County and thus no need for regulations applicable to these two remaining source categories in the Set II CTGs.

During EPA's review of the State's submitted regulations, it was noted that the automobile customizing exemption associated with regulations 2D.0934, Miscellaneous Metal Parts, and the emission limits associated with 2D.0937, Manufacture of Pneumatic Rubber Tires, deviate from the levels envisioned in the Agency's CTGs. The State has provided documentation that the allowed exemptions under 2D.0934 will not impact any potential 100 tons per year

source. Also, the emission limits of 2D.0937 were developed after a plant-specific RACT review, and the stipulated emission limits are enforceable using existing test methods and evaluation techniques.

Regulation 2D.0936, Graphic Arts, provides, in paragraph (c)(4), for a demonstration of compliance through the use of a mixture of waterborne and solvent based inks. Paragraph (c)(4) allows the bubbling of emission control levels between different print lines in a facility. This amounts to an internal plant bubble, and any use of the option will require a source-specific implementation plan revision. As originally submitted, the capture efficiencies required by this regulation were not as stringent as those set forth as RACT in the CTG. Accordingly, the December 2, 1980, notice proposed to approve regulation 2D.0936 on condition that the state make a demonstration that its regulation controlled emissions to within 5% of the expected emission reductions envisioned in the CTG. Alternatively, the state could modify the regulation to reflect RACT level control. The State on April 29, 1981, submitted a duly adopted revision in the regulation making its control requirements consistent with the CTG. Accordingly, this and the other North Carolina Set II VOC regulations are approved.

The following remarks apply to changes adopted in June 1979 in North Carolina's existing VOC regulations.

Regulation .0905, Petition for Alternative Controls, is amended to apply to the added source categories. An application of this regulation must be the subject of a plan revision submitted for EPA's approval.

Regulations .0907, .0908, and .0909, which provide compliance schedules for equipment installation or modification and for use of low solvent content coating technology are amended by adding schedules applicable to the newly added source categories. The schedules added are identical to the existing ones except that the increments of progress are later by one year.

Regulation .0910, Alternative Compliance Schedules, is amended by making its provisions applicable to the added source categories. In addition, provision is made for alternative schedules deferring final compliance for Set II sources beyond December 1982 and up until December 1987 provided the source's noncompliance does not interfere with attainment of the ozone standard by December 1982. Any application of this or other provisions of regulation .0910 must be the subject of a

plan revision submitted for EPA's approval.

These changes in the existing VOC regulations are also approved.

These actions are effective September 28, 1981.

Under Executive Order 12291, EPA must judge whether a regulation is major and therefore subject to the requirement of a Regulatory Impact Analysis. This regulation is not major because it merely ratifies State actions and imposes no new burden on sources.

This regulation was submitted to the Office of Management and Budget (OMB) for review as required by Executive Order 12291.

Under Section 307(b)(1) of the Clean Air Act, judicial review of EPA's approval of this action is available only by the filing of a petition for review in the United States Court of Appeals of appropriate circuit within 60 days of today. Under 307(b)(2) of the Clean Air Act, the requirements which are the subject of today's notice may not be challenged later in civil or criminal proceedings brought by EPA to enforce these requirements.

Incorporation by reference of the State Implementation Plan for the State of North Carolina was approved by the Director of the Federal Register on July 1, 1981.

(Secs. 110 and 172 of the Clean Air Act, as amended (42 USC 7410 and 7502))

Dated: August 19, 1981.

Anne M. Gorsuch,
Administrator.

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

Subpart II—North Carolina

Section 52.1770(c) is amended by adding subparagraph (28) as follows:

§ 52.1770 Identification of plan.

* * *

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

* * *

(28) Revisions in VOC regulations 2D.0902, .0903, .0905, .0907-.0912, and new VOC regulations 2D.0932-.0942, submitted on June 23, 1980, and revised regulation 2D.0936, submitted on April 29, 1981, by the North Carolina Department of Natural Resources and Community Development.

[FR Doc. 81-24682 Filed 8-26-81; 8:45 am]

BILLING CODE 6560-36-M

40 CFR Part 52

[A7-FRL 1909-8]

Approval and Promulgation of Implementation Plans: State of Missouri**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice of final rulemaking.

SUMMARY: In order to satisfy the requirements of Part D of the Clean Air Act, as amended, the State of Missouri revised its State Implementation Plan (SIP) in 1979. On April 9, 1980, EPA conditionally approved certain elements of Missouri's plan (45 FR 24140). On December 16, 1980, the state submitted documentation for the purpose of fulfilling one of these conditions. This condition involves a requirement that the state submit a report outlining an inspection/maintenance (I/M) program for vehicle emission control.

On January 8, 1981, EPA published a notice of receipt to advise the public that the State of Missouri had made a submission involving this condition. On April 3, 1981 (46 FR 20232), EPA proposed to approve the Missouri submission as meeting the applicable condition. EPA invited comments on its proposal at that time. No comments were received in response to this publication.

The purpose of this notice is to advise the public that EPA is taking final action to approve the submission as meeting the applicable condition on the SIP and to remove the applicable condition.

EFFECTIVE DATE: This promulgation is effective September 28, 1981.

ADDRESSES: Copies of the state submission are available for inspection during normal business hours at the following locations: Environmental Protection Agency, Air, Noise and Radiation Branch, 324 East 11th Street, Kansas City, Missouri 64106; Environmental Protection Agency, Public Information Reference Unit, 401 M Street, S.W., Washington, D.C. 20460; and Missouri Department of Natural Resources, 2010 Missouri Boulevard, Jefferson City, Missouri 65101. A copy of the state submission is also available at the Office of the Federal Register, 1100 L Street, N.W., Room 8401, Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Wayne G. Leidwanger at (816) 374-3791; FTS 758-3791.

SUPPLEMENTARY INFORMATION: On April 9, 1980, EPA conditionally approved certain elements of Missouri's plan (45 FR 24140). On December 16, 1980, the state submitted documentation for the

purpose of fulfilling one of these conditions. This condition involves a requirement that the state submit a report outlining an I/M program for vehicle emissions control. I/M is a program whereby motor vehicles receive periodic inspections to assess the functioning of their exhaust emission control systems. Vehicles which have excess emissions must then undergo mandatory maintenance.

On December 16, 1980, the state submitted the I/M report. This report was also submitted to the Missouri General Assembly in accordance with the enabling statute. The April 9, 1980 condition required that the state submit a report on the recommended type of I/M program, stringency factor, vehicle test mix, program resources, and justification. Further discussion of this condition is given in the April 9, 1980 Federal Register notice and in the proposed rulemaking published April 3, 1981 (46 FR 20232).

The state has raised some doubt about whether it has the ability to implement an I/M program. EPA continues to believe that the state has adequate legal authority to implement the program. In addition, the submission of an adopted schedule, and other information to date indicates that the state has the ability and commitment to proceed with I/M. Should the legal authority in fact prove to be deficient, the SIP would no longer satisfy the requirements of Section 172(b) (7) and (10) of the Clean Air Act.

The report has been submitted and thus the applicable condition on the SIP has been met. In the April 9, 1980 notice, EPA also approved an extension until December 31, 1987, for attainment of the carbon monoxide and ozone national ambient air quality standards in the St. Louis area. As a result, the state must submit a SIP revision in 1982 which demonstrates attainment of these standards by 1987. In today's notice EPA is taking no action on the contents of the Missouri I/M report with respect to the 1982 SIP requirements. If the state and EPA determine that changes in the report are necessary to meet the requirements of a 1982 SIP, appropriate changes in the report will be made. Any proposed EPA action on the content of the report will be discussed in a future Federal Register notice.

Action. EPA approves the I/M report as meeting the applicable condition on the SIP but is taking no action on the specific recommendations in the report.

There are other non-I/M related conditions promulgated by EPA which must be addressed by the state before the Missouri SIP can be fully approved.

Until all conditions are met, conditional approval of the SIP will continue.

Under Executive Order 12291, EPA must judge whether a rule is "major" and therefore subject to the requirement of a Regulatory Impact Analysis. This rule is not "major" because it only approves State actions and imposes no additional substantive requirements which are not currently applicable under State law. Hence it is unlikely to have an annual effect on the economy of \$100 million or more, or to have other significant adverse impacts on the national economy.

This rule was submitted to the Office of Management and Budget (OMB) for review as required by Executive Order 12291.

Pursuant to the provisions of 5 U.S.C. § 605(b) I certify that the SIP approvals under Sections 110 and 172 of the Clean Air Act will not have a significant economic impact on a substantial number of small entities. The attached rule if promulgated, constitutes a SIP approval under Sections 110 and 172 of the Clean Air Act. This action only approves state actions. It imposes no new requirements.

Under Section 307(b)(1) of the Clean Air Act, as amended, judicial review of this action is available only by the filing of a petition for review in the United States Court of Appeals for the appropriate circuit within 60 days of today. Under Section 307(b)(2), the requirements which are the subject of today's notice may not be challenged later in civil or criminal proceedings brought by EPA to enforce these requirements.

This notice of final rulemaking is issued under the authority of Sections 110 and 172 of the Clean Air Act, as amended.

Dated: August 20, 1981.

Anne M. Gorsuch,
Administrator.

Note.—Incorporation by reference of the State Implementation Plan for the State of Missouri was approved by the Director of Federal Register on July 1, 1981.

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

Subpart AA—Missouri

1. Section 52.1320 is amended by adding paragraph (c)(30) as follows:

§ 52.1320 Identification of plan.

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

(30) A report on the recommended type of I/M program, stringency factor, vehicle test mix, and program resources and justification, submitted on December 16, 1980, is approved as meeting the applicable condition on the SIP. No action is being taken with respect to the approvability of the specific recommendations in the report.

§ 52.1324 [Reserved]

2. Section 52.1324 is amended by removing paragraph (c)(1)(ii).

[FR Doc. 81-24884 Filed 8-26-81; 8:45 am]

BILLING CODE 6560-30-M

40 CFR Part 52

[A-3-FRL-1907-1]

Approval and Promulgation of Implementation Plans; Approval of Revision of the Commonwealth of Pennsylvania State Implementation Plan

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: This notice announces the Administrator's approval of a revision to the Pennsylvania State Implementation Plan (SIP) which demonstrates attainment of the National Ambient Air Quality Standard (NAAQS) for ozone in the Scranton/Wilkes-Barre Metropolitan Region (Luzerne and Lackawanna Counties). The revision: (a) Demonstrates that the NAAQS for ozone can be achieved in the Scranton/Wilkes-Barre area prior to December 31, 1982, (b) deletes Pennsylvania's previous request for an extension of time beyond December 31, 1982 to attain the ozone standard, and (c) requests deletion of the portion of the 1979 SIP pertaining to implementation of an automobile emissions inspection and maintenance (I/M) program in the Scranton/Wilkes-Barre area.

EFFECTIVE DATE: September 28, 1981.

ADDRESSES: Copies of the revision and associated support materials are available for public inspection during normal business hours at the following locations:

U.S. Environmental Protection Agency, Region III, Curtis Building, Tenth Floor, Sixth and Walnut Streets, Philadelphia, Pennsylvania 19106, ATTN: Patricia Sheridan;
Pennsylvania Bureau of Air Quality Control, Fulton Building, 18th Floor, 200 North Third Street, Harrisburg, PA 17120, ATTN: Mr. Henry Alexander;
Public Information Reference Unit, U.S. Environmental Protection Agency, Room 2922, 401 M Street, SW.,

(Waterside Mall), Washington, D.C. 20460.

The Office of the Federal Register, 1100 L Street, NW., Room 8401, Washington, D.C. 20408.

FOR FURTHER INFORMATION CONTACT:

Patricia Sheridan, Air Media & Energy Branch (3AH11), U.S. Environmental Protection Agency, Region III, Curtis Building, 6th & Walnut Streets, Philadelphia, Pennsylvania 19106, telephone (215) 597-8176.

SUPPLEMENTARY INFORMATION: The Secretary of the Department of Environmental Resources (DER) of the Commonwealth of Pennsylvania submitted for the Governor a proposed revision to the Commonwealth's State Implementation Plan on September 19, 1980.

The revision: (a) Demonstrates that the National Ambient Air Quality Standard (NAAQS) for ozone can be achieved in the Scranton/Wilkes-Barre area prior to December 31, 1982, (b) deletes Pennsylvania's previous request for an extension of time beyond December 31, 1982 to attain the ozone standard, and (c) requests deletion of the portion of the 1979 SIP pertaining to implementation of an automobile emissions inspection and maintenance (I/M) program in the Scranton/Wilkes-Barre area.

The ozone monitoring, modeling and the development of the hydrocarbon emission inventories used to support the revision were done in accordance with all applicable EPA policies and regulations.

For further information on the methods used to support the revision see EPA's *Federal Register* notice dated January 22, 1981, (46 FR 7005).

In order to expeditiously process the proposed revision, EPA proposed approval of the revision concurrently with DER. The EPA invited comments on the proposed approval in a notice published in the *Federal Register* on January 22, 1981, (46 FR 7005), and provided for a 30-day comment period ending February 21, 1981.

On March 3, 1981 the Commonwealth submitted the revision in final form after holding a public hearing on January 21, 1981 in Wilkes-Barre, Pennsylvania in accordance with the requirements of 40 CFR 51.4. The final submission does not differ from the revision originally proposed.

EPA received one comment supporting the proposed revision. DER received 5 comments in support of the revision. No comments opposing the revision were received. Since all comments supported the proposed

revision, the final submission did not differ from the proposed revision.

Under Executive Order 12291, EPA must judge whether a regulation is "Major" and therefore subject to the requirement of a Regulatory Impact Analysis. This regulation is not major because this action only approves State actions and imposes no new requirements.

This regulation was submitted to the Office of Management and Budget for review as required by Executive Order 12291.

Pursuant to the provisions of U.S.C. 605(b) I certify that the SIP approvals under sections 110 and 172 of the Clean Air Act will not have a significant economic impact on a substantial number of small entities. This action constitutes a SIP approval under Sections 110 and 172 of the Clean Air Act. This action only approves State actions. It imposes no new requirements.

Under Section 307(b)(1) of the Clean Air Act, judicial review of this action is available *only* by the filing of a petition for review in the United States Court of Appeals for the appropriate circuit within 60 days of today. Under section 307(b)(2) of the Clean Air Act, the requirements which are the subject of today's notice may *not* be challenged later in civil or criminal proceedings brought by EPA to enforce these requirements.

42 U.S.C. 7401-042.

Note.—Incorporation by reference of the State Implementation Plan for the Commonwealth of Pennsylvania was approved by the Director of the *Federal Register* on July 1, 1981.

Dated: August 19, 1981.

Anne M. Gorsuch,
Administrator.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Part 52 of Title 40, Code of Federal Regulations is revised to read as follows:

§ 52.2020 [Amended]

Subpart NN—Pennsylvania

1. In § 52.2020 *Identification of Plan*, paragraph (c)(23) is revised as follows:

(c) * * *

(23) Transportation elements of the SIP for Philadelphia, Pittsburgh, Allentown-Bethlehem-Easton, and Scranton areas and commitment to implement vehicle inspection and maintenance in Lehigh and

Northampton Counties submitted on June 7, 1979, by the Governor.

§ 52.2022 [Amended]

2. In § 52.2022 *Extensions*, paragraph (d) is revised as follows:

(d) The Administrator hereby extends the attainment date for the national ambient air quality standard for ozone to December 31, 1987 for the following counties: Allegheny, Armstrong, Beaver, Butler, Washington, Westmoreland,

Bucks, Chester, Delaware, Montgomery, Philadelphia, Lehigh, and Northampton.

3. In § 52.2034, the air quality control region shown below is revised as follows:

§ 52.2034 Attainment dates for National Standards.

The following table presents the latest dates by which the National Standards are to be attained. These dates reflect the information presented in the Pennsylvania plan, except where noted.

Air quality control region	Pollutant					
	Particulate matter		Sulfur dioxide		Nitrogen dioxide	Carbon monoxide
	Primary	Secondary	Primary	Secondary		
Northwest Pennsylvania Interstate:						
c. Scranton-Wilkes-Barre Air Basin	a ¹	g ¹	a ¹	b ¹	b ²	c ²

[FR Doc. 81-24718 Filed 8-26-81; 8:45 am]

BILLING CODE 6560-38-M

40 CFR Part 52

[A-9-FRL 1902-7]

Nevada State Implementation Plan Revision

AGENCY: Environmental Protection Agency.

ACTION: Final rulemaking.

SUMMARY: The Environmental Protection Agency (EPA) takes final action to approve and, where appropriate, disapprove or take no action on revisions to rules of the State of Nevada, and Clark and Washoe Counties submitted by the Governor of Nevada for incorporation into the Nevada State Implementation Plan (SIP). The intended effect of this action is to update rules and to correct certain deficiencies in the SIP.

EFFECTIVE DATE: September 28, 1981.

ADDRESS: A Copy of the revisions is located at: The Office of the Federal Register, 1100 "L" Street NW., Room 8401, Washington, D.C. 20005.

FOR FURTHER INFORMATION CONTACT: Louise P. Giersch, Director, Air and Hazardous Materials Division, Environmental Protection Agency, Region 9, 215 Fremont Street, San Francisco, California 94105. Attn.: Douglas Grano. (415) 556-2938.

SUPPLEMENTARY INFORMATION: On December 29, 1978, July 24 and September 18, 1979, and June 24 and November 11, 1980, the State of Nevada

submitted to EPA revisions to the Nevada SIP. Revised rules which are being acted upon by this notice include the following subjects:

Definitions, Circumvention, Variances, Monitoring Requirements, Registration Certificates and Operating Permits, Visible Emissions, Open Burning, Incinerators, Particulate Matter, Sulfur Emissions, Ambient Air Quality Standards, Significant Source of Chlorides, Sulfur Oxides, Carbon Monoxide, Ozone, Non-methane Hydrocarbons, Nitrogen Dioxide, Lead, Measurement Methods, Air Pollution Control Board, Air Pollution Control Committee, Control Officer, Interference, Injunctive Relief, Hearing Board, Persons Liable for Penalties—Punishment (Defense), Fines/Permits, Permission to Disturb Topsoil, Exceptions, Information, Fuel Burning, General Provisions, Continuous Monitoring by Fossil Fuel-Fired Steam Generators, Reporting, Data Reduction, Sampling and Testing-Records and Reports, Malfunction, Emission Limitation, Sulfur Emission from Primary Non-Ferrous Smelters, Reduction of Animal Matter, Nuisance, Prohibitions of Fugitive Dust, Off-Road Vehicle and Motorcross Racing, Correction of Condition, Remedial Action, Costs, Odors, Emergency Procedures, Provisions of Regulations Severable, Public Notification, Confidential Information, Fees, Fee Schedules, Storage Tanks, Processes, Hazardous Materials Processes, and Equipments.

A list of the rules being considered by this action can be found in the Notice of Proposed Rulemaking published on February 11, 1981 (46 FR 11843). As described in the Notice of Proposed Rulemaking, the rules were evaluated and found consistent with 40 CFR Part 51 requirements, with certain exceptions. Public comments were invited on the proposed rulemaking. No comments were received. Therefore, it is the purpose of this notice to take final action on the rule revisions as described in the February 11 notice. Thus, all rules listed in the proposed notice are approved and incorporated into the Nevada SIP, with the following exceptions:

The following rules are disapproved as they are inconsistent with the requirements of the Clean Air Act: In Clark County, Rule 25.1 and Rule 12, (Upset, Breakdown or Scheduled Maintenance), and Table 27.1, (Particulate Matter from Process Matter); Nevada State Rules 4.3.4 and 4.3.6 (Visible Emission from Stationary Sources).

No action is being taken on the following rules as they are not appropriate for incorporation into the SIP: In Clark County, Rule 1.79, *Significant Source of Total Chlorides*, Rule 1.94, *Total Chlorides*, Rule 30.8, (Incinerators), Rule 40.1, *Prohibitions of Nuisance Conditions*, Rule 41.5, *Costs*, Rule 42.2, (Open Burning), and Rule 43.1, *Odors in the Ambient Air*; in Washoe County, Rule 030.3105, *Hazardous Materials Processes*.

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

Note.—Incorporation by reference of the State Implementation Plan for the State of Nevada was approved by the Director of the Federal Register on July 1, 1981.

Under Executive Order 12291, EPA must judge whether a regulation is "Major" and therefore subject to the requirement of a Regulatory Impact Analysis. The miscellaneous SIP approvals announced today are not Major because they only approve state actions. They impose no new regulatory requirements. The disapprovals are also not Major because they preserve the status quo. Sources will remain subject to existing requirements that were previously adopted by the state and approved by EPA. In addition, each of these disapprovals involves only a minor change to the SIP which is not expected to have a major economic effect.

This regulation was submitted to the Office of Management and Budget for

review as required by Executive Order 12291.

Pursuant to the provisions of 5 U.S.C. 605(b) I hereby certify that the attached rule will not have a significant economic impact on a substantial number of small entities. This action only approves state actions. It imposes no new requirements. (Sec. 110, 301(a), Clean Air Act as amended (42 U.S.C. 7410 and 7601(a))

Dated: August 20, 1981.

Anne M. Gorsuch,
Administrator.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

Subpart DD—Nevada

1. Section 52.1470 is amended by adding paragraphs (c)(14)(vii), (16)(viii) and (ix), (17)(ii), (19)(ii), and (20) to (22) as follows:

§ 52.1470 Identification of plan.

(c) * * *

(14) * * *

(vii) Amendments to the Nevada Air Quality Regulations: Article 1, Rules 1.44, 1.53, 1.60, 1.98.1; Article 2, Rules 2.2.2, 2.11.7, 2.17.3.2 a/b, 2.17.4, 2.17.4.1, 2.17.9.8, 2.17.10, 2.17.10.1; Article 3, Rules 3.1.1, 3.1.2, 3.1.3, 3.4.11; Article 4, Rule 4.3.[6]4; Article 5, Rule 5.2.4; Article 6, Rule 6.3; Article 7 Rules 7.1.[3]2, 7.3.3; Article 8, Rules 8.2.1.1, 8.2.1.2, 8.2.2, and Article 12, Rule 12.1.

(16) * * *

(viii) Amendments to the Clark County District Board of Health Air Pollution Control Regulations: Section 2, Rules 2.1, 2.2, 2.3; Section 3, Rule 3.1; Section 4, Rules 4.1–4.11; Section 5, Rule 5.1; Section 6, Rule 6.1; Section 7, Rules 7.1–7.19; Section 8, Rules 8.1, 8.2, 8.7 (deletion); Section 9, Rules 9.1–9.3; Section 10; Section 16, Rules 16.1–16.5, 16.6 (Operating Permits), 16.6 (Emission of Visible Air Contaminants) (deletion), 16.7–16.9; Section 17, Rules 17.1–17.8; Section 18, Rules 18.1–18.12; Section 23, Rules 23.1–23.5; Section 24, Rules 24.1–24.5; Section 25, Rules 25.1, 25.2, 25.4 (deletion); Section 26, Rules 26.1–26.3; Section 27, Rules 27.1, 27.2, 27.3, 27.4; Section 28, Rules 28.1, 28.2; Section 29; Section 30, Rules 30.1–30.7; Section 31; Section 32, Rules 32.1, 32.2; Section 40, Rule 40.1; Section 41, Rules 41.1–41.4; Section 42, Rules 42.1–42.4; Section 43, Rule 43.1; Section 70, Rules 70.1–70.6; Sections 80, and 81.

(ix) Amendments to the Washoe County District Board of Health Air Pollution Control Regulations: Sections 020.055, 030.300, 030.305, 030.310, 030.3101–030.3105, 030.3107, and 030.3108 and the following deletions: 010.115, 050.005, 050.010, 050.015, 050.020, 050.025, 050.030, and 050.035.

(17) * * *

(ii) Amendments to the Clark County District Board of Health Air Pollution Control Regulations: Section 1, Rules 1.79, 1.94; Section 11, Rules 11.1, 11.1.1–11.1.8, 11.2, 11.2.1–11.2.3, 11.3, 11.3.1, 11.3.2, 11.4, and Section 13, Rule 13.5 (deletion).

(19) * * *

(ii) Amendment to the Nevada Air Quality Regulations: Article 4, Rule 4.3.6.

(20)–(21) [Reserved]

(22) The following amendments to the plan were submitted on November 5, 1980, by the Governor.

(i) Amendments to the Clark County District Board of Health Air Pollution Control Regulations: Section 4, Rules 4.12, 4.12.1–4.12.3.

2. In § 52.1476, paragraph (c) is added as follows:

§ 52.1476 Control strategy: particulate matter.

(c) The following rules are disapproved because they relax the emission limitation on particulate matter.

(1) Clark County District Board of Health, Table 27.1, (Particulate Matter from Process Matter), submitted on July 24, 1979.

(2) Nevada Air Quality Regulations, Article 4, Rule 4.34, (Visible Emission from Stationary Sources), submitted on December 29, 1978, and Rule 4.3.6, (Visible Emission from Stationary Sources), submitted on June 24, 1980.

3. Subpart DD of Part 52 is amended by adding § 52.1478, reading as follows:

§ 52.1478 Rules and regulations.

(a) The following rules are disapproved because they lack adequate provisions to assure that the NAAQS will not be exceeded while equipment breakdown periods are in effect.

(1) Clark County District Board of Health.

(i) Rule 25.1, (Upset, Breakdown or Scheduled Maintenance), submitted on July 24, 1979, and previously approved Rule 12, (Upset, Breakdown or

Scheduled Maintenance), submitted on January 19, 1973.

[PR Doc. 81-24009 Filed 8-26-81; 8:45 am]

BILLING CODE 6560-38-M

40 CFR Part 52

[A-10-FRL 1899-8]

Approval and Promulgation of Implementation Plans; Oregon

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA today approves revised operating permits and a consent order affecting three sources of volatile organic compound emissions for inclusion in the State of Oregon's State Implementation Plan. The permits and the consent order were submitted to meet the requirements for new source emission offsets under EPA's Emission Offset Interpretive Ruling.

DATE: August 27, 1981.

ADDRESSES: Copies of the materials submitted to EPA may be examined during normal business hours at:

Central Docket Section (10A-81-3),
West Tower Lobby, Gallery I,
Environmental Protection Agency, 401
M Street, SW., Washington, D.C.
20460

Air Program Branch, Environmental
Protection Agency, 1200 Sixth Avenue
Seattle, Washington 98101

State of Oregon, Department of
Environmental Quality, 522 S.W. Fifth,
Yeon Bldg., Portland Oregon 97207
The Office of Federal Register, 1100 L
Street, N.W., Room 8401, Washington,
D.C.

FOR FURTHER INFORMATION CONTACT:
Richard F. White, Air Programs Branch,
M/S 625, Environmental Protection
Agency, 1200 Sixth Avenue, Seattle,
Washington 98101 Telephone No. (206)
442-1226, (FTS) 399-1226.

SUPPLEMENTARY INFORMATION: On
December 31, 1980 the Oregon
Department of Environmental Quality
(DEQ) submitted a request to EPA to
revise the Oregon State Implementation
Plan (SIP) to include revised operating
permits and a consent order affecting
three sources of volatile organic
compound (VOC) emissions. The
permits and the consent order were
submitted to meet the requirements for
new source emission offsets under
EPA's Emission Offset Interpretive
Ruling (found at 40 CFR Part 51,
Appendix S). On April 28, 1981, EPA
proposed in the Federal Register (46 FR

23772) to approve these revised operating permits and the consent order as a SIP revision. EPA received no comments on this proposed action. Therefore, EPA is today approving this revision to the Oregon SIP. Readers are directed to the April 28, 1981, Federal Register for additional information.

EPA finds that good cause exists for making the action in this Notice immediately effective for the following reasons: (1) The public has had adequate notice of the guidelines for preparation of State Implementation Plans and has had several opportunities to comment on those guidelines, and (2) the impact of this rulemaking is limited only to the State of Oregon.

Pursuant to the provisions of 5 U.S.C. Section 605(b) I certify that the SIP approvals under Sections 110 and 172 of the Clean Air Act will not have a significant economic impact on a substantial number of small entities. This action constitutes a SIP approval under Sections 110 and 172 of the Clean Air Act. This action only approves State action and imposes no new requirement.

Under Executive Order 12291, EPA must judge whether or not a regulation is "major" and therefore subject to this requirement of regulatory impact analysis. This regulation is not judged to be major, since it merely approves an action taken by the State and does not establish any new requirements.

This regulation was submitted to the Office of Management and Budget (OMB) for review as required by Executive Order 12291.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

Subpart MM—Oregon

1. In § 52.1970 paragraph (c)(35) is added as set forth below:

§ 52.1970 Identification of plan.

(c) * * *

(35) On December 31, 1980, the State Department of Environmental Quality submitted an Oregon Air Containment Discharge Permit No. 36-6041 Addendum No. 1 issued to Spaulding Pulp and Paper Company on December 11, 1980; Oregon Air Discharge Containment Discharge Permit No. 26-3025, issued to Industrial Laundry Dry Cleaners, Inc., on December 1980 and Oregon Environmental Quality Commission Stipulation and Consent

Final Order concerning Vanply, Inc., dated December 30, 1980.

Note.—Incorporation by reference of the State Implementation Plan for the State of Oregon was approved by the Director of the Federal Register on July 1, 1981. (Sec. 110 and 172, Clean Air Act (42 U.S.C. 7410 and 7502))

Dated: August 19, 1981.

Anne M. Gorsuch,
Administrator.

[FR Doc. 81-24681 Filed 8-26-81; 8:46 am]

BILLING CODE 6560-38-M

40 CFR Part 52

[AH300cWV; A-3-FRL 1906-2]

Approval of Revision of the West Virginia State Implementation Plan

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: This notice announces the Administrator's approval of three revisions of the West Virginia State Implementation Plan (SIP). These revisions consist of amendments to West Virginia's Regulations VI and VII, and of an analysis of the Impact of the 1979 West Virginia State Implementation Plan.

West Virginia's Regulation VI controls air pollution from the combustion of refuse and Regulation VII controls particulate air pollution from manufacturing processing operations. EPA is approving West Virginia's revisions of Regulation's VI and VII and its analysis of its State Implementation Plan's effects since EPA has determined that they meet the requirements of section 110 and Part D of the Clean Air Act.

EFFECTIVE DATE: September 28, 1981.

ADDRESSES: Copies of the revisions and accompanying support material are available for public inspection during normal business hours at the following locations:

U.S. Environmental Protection Agency,
Region III, Air Media and Energy
Branch, Curtis Building, Tenth Floor,
Sixth and Walnut Streets,
Philadelphia, Pennsylvania 19106,
Attn.: Ms. Patricia Sheridan

West Virginia Air Pollution Control
Commission, 1558 Washington Street,
East, Charleston, West Virginia, Attn.:
Mr. Carl G. Beard

Public Information Reference Unit,
Room 2922, EPA Library, U.S.
Environmental Protection Agency, 401
M Street, SW., Washington, D.C.
20460

The Office of the Federal Register, 1100
L Street, NW., Room 8401,
Washington, D.C.

FOR FURTHER INFORMATION CONTACT:

Raymond Chalmers (3AH13) at the address for EPA Region III given above, telephone 215/597-8309.

SUPPLEMENTARY INFORMATION: On June 13, 1980, John D. Rockefeller IV, Governor of the State of West Virginia, submitted several revisions of the West Virginia State Implementation Plan (SIP) to EPA for approval. These revisions include:

1. An amended version of Regulation VI; a regulation which controls air pollution from the combustion of refuse,
2. An amended version of Regulation VII; a regulation which controls particulate air pollution from manufacturing process operations, and
3. A document entitled "Identification and Analysis of the Impact of the 1979 West Virginia State Implementation Plan."

The Governor's submittal was accompanied by a certification, signed by Carl G. Beard II, Director of the West Virginia Air Pollution Control Commission, stating that West Virginia adhered to both the U.S. EPA's public hearing requirements and the requirements of the West Virginia Code during the process of adopting the revisions.

EPA proposed the revisions submitted by West Virginia in the Federal Register on December 12, 1980 at 45 FR 81793. West Virginia's revisions of Regulations VI and VII and the State's analysis of its SIP's effects were explained in detail in that notice. Those wishing a complete description of West Virginia's revisions are referred to the proposal notice.

When EPA conditionally approves West Virginia's Part D SIP, 45 FR 54042, August 14, 1980, EPA required West Virginia to revise Regulation VII to ensure that it requires iron and steel sources to use reasonably available control technology (RACT) to control particulate emissions. West Virginia has not yet submitted the required changes; the revisions approved today deal with other aspects of the regulations. West Virginia will revise Regulation VII again shortly to correct its remaining deficiencies.

EPA solicited public comment on West Virginia's requested revisions in the proposal notice. EPA received no public comments on the revisions.

EPA has reviewed West Virginia's proposed changes in Regulations VI and VII and West Virginia's analysis of its SIP effects. The EPA has found that these revisions meet the requirements

for approval of Section 110 and Part D of the Clean Air Act and of 40 CFR Part 51. Accordingly, EPA is approving these revisions.

Under Executive Order 12291, EPA must judge whether a regulation is "Major" and therefore subject to the requirement of a Regulatory Impact Analysis. This regulation is not major because this action only approves State actions and imposes no new requirements.

This regulation was submitted to the Office of Management and Budget for review as required by Executive Order 12291.

Under Section 307(b)(1) of the Clean Air Act, judicial review of this action is available *only* by the filing of a petition for review in the United States Court of Appeals for the appropriate circuit within 60 days of today. Under Section 307(b)(2) of the Clean Air Act, the requirements which are the subject of today's notice may *not* be challenged later in civil or criminal proceedings brought by EPA to enforce these requirements.

(42 U.S.C. 7401-642)

Dated: August 19, 1981.

Anne M. Gorsuch,
Administrator.

Note.—Incorporation by reference of the State Implementation Plan for the State of West Virginia was approved by the Director of the Federal Register on July 1, 1981.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

Subpart XX—West Virginia

1. Section 52.2520, paragraph (c) is amended by adding subparagraph (14) as follows:

§ 52.2520 Identification of plan.

(c) * * *

(14) Amended Regulations VI and VII, and an Identification and Analysis of the Impact of the 1979 West Virginia State Implementation Plan, submitted by the Governor of West Virginia on June 13, 1980.

§ 52.2530 [Removed]

2. Section 52.2530 General Requirements is removed.

[FR Doc. 81-24916 Filed 8-26-81; 8:45 am]

BILLING CODE 5560-38-M

40 CFR Part 52

[Docket Nos. AH026/027VA; A-3-FRL 1897-6]

Approval of Revisions of the Commonwealth of Virginia State Implementation Plan

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: This notice announces the Administrator's approval of revisions of the Virginia State Implementation Plan. The revisions to the Virginia State Implementation Plan (SIP) were submitted to the Environmental Protection Agency (EPA) by the Governor on June 19 and August 19, 1980 to satisfy certain requirements of the Clean Air Act. This notice provides a description of the proposed SIP revisions, indicates the results of EPA's review, and approves the revisions as submitted.

EFFECTIVE DATE: September 28, 1981.

ADDRESSES: Copies of the amendments and associated support material are available for public inspection during normal business hours at the following offices:

U.S. Environmental Protection Agency,
Air Media & Energy Branch, Curtis
Building, 6th & Walnut Streets,
Philadelphia, PA 19106, ATTN: Eileen
M. Glen;

Public Information Reference Unit,
Room 2922, EPA Library, U.S.
Environmental Protection Agency, 401
M Street, S.W., Washington, D.C.
20460;

Virginia State Air Pollution Control
Board, Ninth Street Office Building,
Room 1106, Richmond, VA 23219,
ATTN: John M. Daniel, Jr.

FOR FURTHER INFORMATION CONTACT:
Ms. Eileen M. Glen (3AH13), Air Media
& Energy Branch, U.S. Environmental
Protection Agency, Region III, 6th &
Walnut Streets, Philadelphia, PA 19106,
Phone: (215) 597-8187.

SUPPLEMENTARY INFORMATION: The June 19, 1980 submittal consists of a 1979 amendment to the provisions of Section 10-17.12 (Qualifications of members of Board) of the Virginia Air Pollution Control Law and was submitted to satisfy the requirements of Section 128 of the Clean Air Act regarding the composition of State Boards. EPA has reviewed the proposed revisions and has determined that § 10-17.12 as amended, in conjunction with the Virginia Conflict of Interest Act, satisfies the requirements of Section 128 of the Clean Air Act.

No public hearing was held relative to Section 10-17.12 as it is a statutory rather than regulatory revision, debated and acted upon by the Virginia legislature.

The August 19, 1980 submittal deals with revisions to §§ 1.02, 4.10, 4.11, 4.12, 4.13 and 4.102; Rule NS-3; and Appendices I, C, and O.

The Commonwealth provided proof that after adequate public notice, a public hearing was held regarding the proposed revisions on January 22, 1980 in Richmond, Abingdon, Roanoke, Lynchburg, Fredericksburg, Virginia Beach, and Falls Church.

As a result of EPA's review, we are approving the revisions listed below:

Regulation	Brief description
1.02	Terms Defined—added definitions of garbage, household refuse, refuse, and urban area.
4.10	Miscellaneous wording changes and the addition of § 4.10(g) prohibiting the burning of toxic or hazardous materials.
4.11	Miscellaneous wording changes, addition of provisions affecting AQCR 7, and the addition of a provision regarding forest management and agriculture practices.
4.12	Deleted. This provision related to AQCR 7 and has been rewritten and relocated to § 4.11(g).
4.13	Miscellaneous wording changes and the addition of a provision permitting burning of leaves where permitted by local law.
4.102	Addition of provisions regarding the export and import of motor vehicles.
App. C	Listing of urban areas defined geographically.

Evaluation

The definitions listed above have been reviewed by EPA and found to be approvable as written.

Sections 4.10 (a) thru (f) contain miscellaneous wording changes which are approvable to EPA. The addition of Section 4.10(g) prohibiting the open burning of toxic or hazardous materials is also approvable.

Sections 4.11 (a) thru (f) contain miscellaneous wording changes which are approvable to EPA. Sections 4.11 (g) and (h) deal with open burning procedures in Air Quality Control Region (AQCR) 7 and replaces Section 4.12 which has been deleted. The addition of Sections 4.11 (g) and (h) and deletion of Section 4.12 is approvable.

Section 4.11(i) has been added to permit open burning for forest management and agriculture practices approved by the Board provided certain specified conditions are met. This section is approvable.

Section 4.13 deals with the exclusion of certain open burning activities to this Rule. Section 4.13(a) contains minor wording changes and now requires an on-site inspection prior to the installation and operation of devices or methods used to conduct the burning.

Section 4.13(b) has been added to allow the burning of leaves on residential property where permitted by local law. These changes are approvable.

Sections 4.102 (b) and (c) have been added to Rule EX-10 and deal with the export and import of used motor vehicles. While EPA recommends removal of the emission control device no more than five days prior to export, there is no objection to the Commonwealth permitting removal of the device up to ten days prior to shipment. This is a reasonably short period of time and, therefore, approvable.

Appendix C is a listing of urban areas defined geographically and is acceptable to EPA.

The balance of the August 19, 1980 submittal deals with the New Source Performance Standards (Rule NS-3 and Appendix I) and is not reviewable under Section 110 of the Clean Air Act as a SIP revision. The appropriate law and regulations covering these standards are contained at Section 111(c) of the Clean Air Act and at 40 CFR Part 60, Subpart B. This portion of the submittal will be reviewed in accordance with the above regulations and the Delegation of Authority and no further rulemaking is necessary.

Appendix O was submitted for information purposes only and is not part of the proposed rulemaking.

Public Comments

EPA proposed approval of these revisions on May 7, 1981 at 46 FR 25485. No comments were received during the thirty day public comment period.

Conclusion

As a result of EPA's evaluation, it has been determined that the proposed revisions satisfy the requirements of Section 110(a)(2) of the Clean Air Act, as amended and 40 CFR Part 51, Requirements for Preparation, Adoption, and Submittal of State Implementation Plans. Therefore, the Administrator hereby approves the above-cited revisions to the Virginia Implementation Plan.

In conjunction with the Administrator's approval, 40 CFR 52.2420 (Identification of Plan) of Subpart VV (Virginia) is being amended to incorporate these amendments.

Under Executive Order 12291, EPA must judge whether a regulation is "Major" and therefore subject to the requirement of a Regulatory Impact Analysis. This regulation is not major because this action only approves State actions and imposes no new requirements.

This regulation was submitted to the Office of Management and Budget for review as required by Executive Order 12291.

Pursuant to the provisions of 5 U.S.C. Section 605(b), I certify that SIP approvals under Sections 110 and 172 of the Clean Air Act will not have a significant economic impact on a substantial number of small entities. This action constitutes a SIP approval under Sections 110 and 172 of the Clean Air Act. This action only approves State actions. It imposes no new requirements.

Under Section 307(b)(1) of the Clean Air Act, judicial review of this action is available *only* by the filing of a petition for review in the United States Court of Appeals for the appropriate circuit within 60 days of today. Under Section 307(b)(2) of the Clean Air Act, the requirements which are the subject of today's notice may *not* be challenged later in civil or criminal proceedings brought by EPA to enforce these requirements.

(42 U.S.C. 7401-7642)

Dated: August 18, 1981.

Anne M. Gorsuch,
Administrator.

Note.—Incorporation by reference of the State Implementation Plan for the Commonwealth of Virginia was approved by the Director of the Federal Register on July 1, 1981.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

Subpart VV—Virginia

1. In § 52.2420 (Identification of Plan), (c) is amended by adding subparagraphs (44) and (45) to read as follows:

§ 52.2420 Identification of Plan.

* * *

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

* * *

(44) A revision submitted by the Commonwealth of Virginia on June 19, 1980 consists of a 1979 Amendment to the provisions of Section 10-17.12 (Qualifications of members of Board) of the Virginia Air Pollution Control Law.

(45) A revision submitted by the Commonwealth of Virginia on August 19, 1980 consisting of amendments to Section 1.02, 4.10, 4.11, 4.12, 4.13, and 4.102; and Appendix C of the Virginia Air Pollution Control Board Regulations.

[FR Doc. 81-26720 Filed 8-26-81; 8:46 am]

BILLING CODE 5560-38-M

40 CFR Part 52

[A-6-FRL 1888-4]

Revisions to Arkansas Regulations Pertaining to Malfunctions/Upsets and Continuous Emission Monitoring

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rulemaking.

SUMMARY: The purpose of this notice is to approve two (2) revisions to the Arkansas State Implementation Plan (SIP). These revisions were submitted by the Governor on July 11, 1979 to fulfill the requirements of Section 110 of the Clean Air Act, as amended in August 1977. The revisions being acted on today relate to the State regulation (Section 6(a)) pertaining to malfunctions or upsets and the State regulation (Section 7(e)) pertaining to continuous emissions monitoring. This document also makes a technical correction to a document published at 45 FR 54336, Aug. 15, 1980. **EFFECTIVE DATE:** Effective on September 28, 1981.

ADDRESSES: Incorporation by reference material is available for inspection during normal business hours at the following locations:

The Office of the Federal Register, 1100 L St., NW., Washington, D.C. Rm. 8401;

Environmental Protection Agency, Public Information Reference Unit, EPA Library, 401 "M" Street, NW., Washington, D.C. Rm. 2922.

FOR FURTHER INFORMATION CONTACT:

Estela S. Wackerbarth, Chief, Implementation Plan Section, Air Programs Branch, Air and Hazardous Materials Division, U.S. EPA Region 6, 1201 Elm Street, Dallas, Texas 75270, (214) 767-1518.

SUPPLEMENTARY INFORMATION: On October 10, 1980 (45 FR 67397), EPA published a notice of proposed rulemaking on two (2) revisions to the Arkansas SIP which had been submitted by the Governor on July 11, 1979. Comments were solicited from the public but none were received. EPA is therefore approving these two regulations.

Arkansas' amended malfunction/upsets regulation places responsibility for exceedance of emission limits directly on the source and requires them to identify processes or control equipment causing the malfunction/upset. The regulation also requires the source to give a description of steps to be taken to prevent a recurrence.

Arkansas' amended continuous emissions monitoring regulation requires