

installation of secondary seals on tank numbers 88, 90, 95, 126 and 176 is to be completed in accordance with the prescribed schedule outlined in the order, including increments of progress, achieving full compliance by June 1, 1982. EPA believes this schedule is as expeditious as practicable. EPA believes that the variance will not jeopardize the attainment demonstration set forth by the SIP, nor interfere with the reasonable further progress curve. Therefore, under existing EPA rules, this variance is approvable.

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) the Administrator has certified 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. 48 FR 8709 (January 27, 1981). The attached rule, if promulgated, constitutes a SIP approval under section 110 and 172 within the terms of the January 27 certification. This action only approves state actions. It imposes no new requirements.

This notice of proposed rulemaking is issued under the authority of section 110 of the Clean Air Act, as amended.

Dated: July 29, 1981.
William W. Rice,
Acting Regional Administrator.

(FR Doc. 81-26399 Filed 9-9-81; 8:45 am)
BILLING CODE 5560-30-M

40 CFR Part 52

[Docket No. AH300fVA; A-3-FRL-1924-1]

Proposed Revision of Virginia State Implementation Plan

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule.

SUMMARY: On April 13, 1981, the Secretary of Commerce and Resources submitted several minor revisions of the

nonattainment portion of the Virginia State Implementation Plan to the Environmental Protection Agency. Included in this submittal was an extended compliance schedule for VI-Tex Packaging Inc. This Notice provides a description of the proposed SIP revision, the results of EPA's review and requests comments on the proposed revisions and EPA's findings.

DATE: Comments must be submitted on or before October 13, 1981.

ADDRESSES: Copies of the proposed SIP revisions and the accompanying support documents are available for inspection during normal business hours at the following offices:

U.S. Environmental Protection Agency,
Air Media & Energy Branch (3AH13),
Curtis Building, 8th & Walnut Streets,
Philadelphia, Pennsylvania 19106,
Attn: Ms. Eileen M. Glen.

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

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

All comments on the proposed revisions submitted on or before October 13, 1981, will be considered and should be directed to Mr. James E. Sydnor, Chief of the WVA/VA Section at the EPA, Region III address.

FOR FURTHER INFORMATION CONTACT:
Ms. Eileen M. Glen at the EPA, Region
III address or telephone 215/597-8187.

SUPPLEMENTARY INFORMATION: The April 13, 1981 submittal consists of several revisions to the Commonwealth's nonattainment plans. The portions of this submittal which correct deficiencies and satisfy the conditions noted in the April 16, 1981 Federal Register (46 FR 22185) are addressed in a separate rulemaking. The balance of the submittal is addressed herein.

The Commonwealth provided proof that, after adequate public notice, public hearings were held regarding the proposed revisions on January 26, 1981 in Richmond and on February 9, 1981 in Lynchburg, Fredericksburg, Virginia Beach and Annandale.

As a result of EPA's preliminary review, we are proposing approval of the revisions listed below except where noted:

Regulation and Brief Description

1.02—Terms Defined—modified definitions of external floating roof, internal floating roof and nonmethane

4.56(f)(3)—Miscellaneous wording changes

App. M—Revises the minimum pressure above which the safety valves will release emissions

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

Section 4.56(f)(3) is amended to include vapor balance and top loading vapor recovery methods if truck hatches are to be left open during loading or unloading operations. This change is acceptable to EPA.

Appendix M, Sections III.a.2.ii, III.c.3.ii, III.d.2.ii.b, and IV.a.3.iii.b are revised to reduce the pressure per square inch (psi) above which pressure relief valves will release emissions to the atmosphere. This is a safety feature and is acceptable to EPA.

Chapter 7 of the Southeastern Virginia nonattainment plan was revised to include an extended compliance schedule for VI-Tex Packaging Inc. Despite a submittal of supplemental information by the Commonwealth on May 27, 1981, there is still insufficient data for EPA to complete its review.

The Commonwealth or the source must submit information regarding the low-solvent technology plan, i.e., the specific inks to be used to attain the projected emissions reductions before we can complete our review of the proposed schedule.

Conclusion: The public is invited to submit, to the address stated above, comments on the amendments to the regulations as a revision of the Virginia State Implementation Plan.

The Administrator's decision to approve or disapprove the proposed revision will be based on the comments received and on a determination of whether the amendments meet the requirements of section 110(a)(2) of the Clean Air Act and 40 CFR Part 51, Requirements for Preparation, Adoption, and Submittal of State Implementation Plans.

Note.—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, if promulgated, 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 hereby certify that this

action will not have a significant economic impact on a substantial number of small entities. This action, if promulgated, constitutes a SIP approval under Sections 110 and 172 of the Clean Air Act and only approves State actions. It imposes no new regulatory burden on anyone.

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

Dated: August 11, 1981.

Greene A. Jones,
Acting Regional Administrator.

[FR Doc. 81-26402 Filed 9-8-81; 9:45 am]

BILLING CODE 6560-36-M

40 CFR Parts 52 and 62

[A-3-FRL-1922-4]

Proposed Revisions of Delaware Air Quality Plans

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule.

SUMMARY: The State of Delaware has submitted changes to its approved Part D (Clean Air Act) State Implementation Plan consisting of amendments to its volatile organic compounds (VOC) regulations for stationary sources, and a request for a delay in the final implementation date for the State's inspection and maintenance (I/M) program. The State has also submitted a State Implementation Plan for lead (Pb) and a Section 111(d) (Clean Air Act) plan for sulfuric acid mist. EPA proposes to approve all of the above-mentioned submittals.

DATE: Comments must be submitted on or before October 13, 1981.

ADDRESS: Copies of the material submitted by the State of Delaware 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, PA 19106.

Delaware Department of Natural Resources and Environmental Control, Air Resources Section, Tatnall Building, Capitol Complex, Dover, DE 19901, ATTN: Mr. Robert R. French. Public Information Reference Unit, EPA Library, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, D.C. 20460.

All comments should be submitted to: Mr. Henry J. Sokolowski, P.E., Chief, DE-MD-DC Metro Section, U.S. Environmental Protection Agency, Region III, Curtis Building, Sixth and Walnut Streets, Philadelphia, PA 19026, ATTN: Revisions to Delaware's Air Quality Plans.

FOR FURTHER INFORMATION CONTACT:

Mr. Harold A. Frankford at the above address. Phone: 215/597-8392.

SUPPLEMENTARY INFORMATION:

Introduction

On December 23, 1980 and December 29, 1980, the State of Delaware submitted revisions to its Part D (Clean Air Act) nonattainment plan. It also submitted implementation plans for lead and sulfuric acid mist. The submittals are summarized below.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

40 CFR Part 52

On December 23, 1980 and December 29, 1980 the State submitted the following items:

1. *Amendments to Regulations I and XXIV pertaining to control of volatile organic compounds (VOC) emissions.* For States with ozone (O_3) nonattainment areas, EPA has stated that the minimum acceptable level of O_3 control includes RACT requirements for sources of VOC emissions for which EPA has published a Control Techniques Guideline Document (CTG) by January 1978 and additional reasonably available control technology (RACT) requirements on an annual basis for VOC sources covered by CTGs published by January of the preceding year. [See 44 FR 20372 [April 4, 1979] as supplemented at 44 FR 38583 [July 2, 1979]; 44 FR 50371 [August 28, 1979]; 44 FR 53761 [September 17, 1979]; and 44 FR 67182 [November 23, 1979].] Adoption and submittal of additional RACT regulations for sources covered by CTGs published between January 1978 and January 1979 (Group II CTGs) were due July 1, 1980 (44 FR 50371, August 28, 1979). However, because State regulatory processes took longer than anticipated, but in most cases good faith efforts were being made to adopt the necessary regulations, EPA revised the July 1, 1980 deadline to January 1, 1981 (45 FR 78121, November 25, 1980).

EPA published the CTGs in order to assist the States in determining RACT. The CTGs provide information on available air pollution control techniques and provide recommendations on what EPA calls the "presumptive norm" for RACT. Group II CTGs cover the following source categories:

- Factory Surface Coating of Flatwood Paneling.
- Petroleum Refinery Fugitive Emissions (Leaks).
- Pharmaceutical Manufacture.
- Rubber Tire Manufacture.

—Surface Coating of Miscellaneous Metal Parts and Products.

—Graphic Arts (Printing).

—Dry Cleaning Perchloroethylene.

—Gasoline Tank Trucks, Leak Prevention.

—Petroleum Liquid Storage, Floating Roof Tanks.

On December 23, 1980, Delaware submitted to EPA revisions to the SIP consisting of regulations for all of the above-mentioned categories except factory surface coating of flatwood paneling, pharmaceutical manufacture and rubber tire manufacture. On January 8, 1981, the State certified that to the best of its knowledge, there are no sources located in New Castle County that are currently engaged in these three operations.

The regulations as submitted appear to be approvable. However Section 8.1 B.4 of Delaware's SIP provides an exemption from the secondary seal requirement for external floating roof storage tanks, if the tank is used only for the storage of crude oil. Testimony concerning this provision was provided by Getty Refining and Marketing Company at Delaware's June 19, 1980 public hearing. The testimony indicated that the average vapor pressure of all crudes stored by Getty is less than the vapor pressure cutoff limit provided in the regulations. However, Getty has also testified that there exists the possibility of an infrequent shipment of crude which will exceed this cutoff limit. If the crude oil exemption in 8.1 B.4 were not provided, eleven of Getty's crude oil storage tanks would have to be equipped with secondary seals to ensure compliance for this infrequent occurrence. The cost, according to the testimony, may be substantial in comparison to the reduction achieved. The State of Delaware is not satisfied that the subject of controlling VOC emissions from crude oil storage tanks has been examined sufficiently and it intends to request consideration of this subject in greater detail. It is EPA's understanding that Delaware will make its findings available to EPA. In the interim, Delaware has exempted crude oil storage tanks from the secondary seal requirement.

EPA is proposing approval of 8.1 B.4 at this time, however EPA is soliciting comments on this exemption.

2. *A request to delay the final date for implementation of the State's mandatory inspection/maintenance (I/M) program in New Castle County.* The final implementation date is currently scheduled to be January 1, 1982, but the State has requested a seven-month delay of this date so that it

can purchase and install emission testing equipment which is able to record and store data needed to monitor the effectiveness of the State's I/M program. The revised schedule was based on Delaware's projections that the fiscal year 1981 (July, 1981-June, 1982) State budget would be passed by June 30, 1981 and include sufficient I/M funding and that equipment procurement lead time would require one year based on information supplied by equipment manufacturers. The State has also informed EPA that it will use the MOBILE II model to calculate pollutant emissions of motor vehicles, but will not rely on any emission reduction credits for mechanics training.

The State provided certification that a public hearing with respect to the VOC regulations and the implementation plan for lead was held on June 19, 1980; and that a public hearing with respect to the delay for implementing and mandatory I/M program in New Castle County was held on October 31, 1980.

At the time of the submittal, the I/M implementation schedule contained reasonable increments of progress to ensure that Delaware would fully implement its I/M program by August 1, 1982. However, the State legislature failed to provide I/M funding in the Fiscal Year 1982 State budget to purchase test equipment and hire additional personnel to conduct I/M testing. This funding problem has prevented the State from beginning the equipment procurement process by August 1, 1981, as scheduled. The State is currently seeking alternative funding to meet its commitment. EPA believes that the State can fully implement its I/M program by August 1, 1982 provided that the State can secure the alternative funding and initiate the equipment procurement process by October 1, 1981. It is EPA's understanding that the State will revise its implementation schedule to reflect the changes in interim dates caused by the funding difficulty. Therefore, EPA proposes to approve the I/M schedule submitted by the State on December 29, 1980 on the condition that the State, prior to final rulemaking, provide assurances that adequate funding is available to implement the I/M program by the August 1, 1982 deadline.

3. *A State Implementation Plan (SIP) for lead.* This plan was submitted pursuant to the requirements of Subpart E of 40 CFR Part 51, §§ 51.80 through 51.88, promulgated by EPA on October 5, 1978, 43 FR 46270. The State submitted air quality data showing that national ambient air quality standards (NAAQS) for lead ($1.5 \mu\text{g}/\text{m}^3$, averaged

over a calendar quarter) was violated one time in New Castle County since January 1, 1974. No violations were recorded in either Kent or Sussex County. Since 1977, the State claims that no violations of the lead standard have been recorded in any area of the State. The SIP submitted by the State, therefore, addresses the maintenance of the lead standard, and concludes that lead concentrations in the atmosphere throughout the State will not increase. This conclusion rests on the assumptions that mobile source emissions will be controlled through the Federal motor vehicle control program and that no new violations of the lead standard have been recorded in any area of the State. The SIP submitted by the State, therefore, addresses the maintenance of the lead standard, and concludes that lead concentrations in the atmosphere throughout the State will not increase. This conclusion rests on the assumptions that mobile source emissions will be controlled through the Federal motor vehicle control program and that no new significant point sources of lead will be constructed. The SIP also includes a requirement for a review of new and modified major sources of lead. EPA has reviewed the State submission and is proposing to approve the plan as submitted.

PART 62—APPROVAL AND PROMULGATION OF STATE PLANS FOR DESIGNATED FACILITIES AND POLLUTANTS

40 CFR Part 62

Pursuant to Section 111(d) of the Clean Air Act, as amended, EPA promulgated regulations, at 40 CFR Part 60, which require States to submit plans governing control of emissions of "designated pollutants" from "designated facilities." Section 111(d) requires control of existing sources for certain pollutants, other than criteria pollutants, whenever standards of performance have been established under section 111(d) for those pollutants from new sources of the same type. In the case of the sulfuric acid plant emissions, final guideline documents specifying emission guidelines and time for compliance were published in September 1977 for Control of Sulfuric Acid Mist Emissions (EPA-450/2-77-019). State plans for the control of sulfuric acid plants were required by October 31, 1978.

On December 29, 1980, Delaware submitted to EPA Region III a plan to control sulfuric acid mist from existing sources, under section 111(d) of the Clean Air Act. The State has amended Regulation IX of its air pollution control

regulations to include an emission limitation of 0.5 lb/ton of acid produced which corresponds to the emission guideline for these sources in 40 CFR 60.33(a). The State has determined that the Allied Chemical Company's sulfuric acid mist plant is the only designated facility subject to the sulfuric acid mist standard in Regulation IX. The State has also determined that Allied Chemical is meeting the emission limitation as determined by EPA Test Method 8. The State provided certification that public hearings were held on October 31, 1980 in accordance with the requirements of 40 CFR 60.23.

This Section 111(d) plan supplements an earlier incomplete version submitted by Delaware on October 5, 1978, and now contains all of the necessary elements required by 40 CFR Part 60. Therefore, EPA proposes to approve the plan.

Submittal of Public Comments

The public is invited to submit comments on whether the lead SIP, the sulfuric acid mist control plan, the revised I/M schedule, and the control measures for stationary sources of VOC should be approved by the Administrator. All comments should be submitted by October 13, 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 this action, if promulgated, 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. 605(b) the Administrator has certified 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. See 46 FR 8709 (January 27, 1981). This action, if promulgated, constitutes a SIP approval under Sections 110 and 172 within the terms of the January 27 certification. This action only approves State actions. It imposes no new requirements.

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

Dated: July 9, 1981.

Alvin R. Morris,
Acting Regional Administrator.

[FR Doc. 81-20409 Filed 9-9-81; 8:45 am]

BILLING CODE 5560-38-M

40 CFR Part 81

(A-5-FRL-1930-8)

Designation of Areas for Air Quality Planning Purposes; Attainment Status Designations; Ohio**AGENCY:** Environmental Protection Agency.**ACTION:** Extension of Public Comment Period.

SUMMARY: On July 27, 1981 (46 FR 38386), the Environmental Protection Agency proposed to approve the total Suspended Particulates and Sulfur Dioxide attainment status designations of certain areas of Lake County, Ohio. In response to a request from the State of Ohio, the public comment period is being extended to September 15, 1981.

DATE: Comments must be received on or before September 15, 1981. Please send an original and four copies, if possible.

ADDRESSES: Comments should be submitted to: Carl Nash, Acting Chief, Regulatory Analysis Section, Air Programs Branch, Region V, U.S. Environmental Protection Agency, 230 South Dearborn Street, Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: Sharon Kraft at (312) 886-6034.

Dated: August 28, 1981.

Valdas V. Adamkus,
Acting Regional Administrator.

[FR Doc. 81-26381 Filed 9-9-81; 8:45 am]

BILLING CODE 6560-38-M

40 CFR Part 180

(PP 1E2490/P186; PH-FRL-1931-5)

Glyphosate; Proposed Tolerance**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Proposed rule.

SUMMARY: This notice proposes that a tolerance be established for the combined residues of the herbicide glyphosate and its metabolite aminomethylphosphonic acid. This proposal was submitted by the Interregional Research Project No. 4 (IR-4). This amendment will establish a maximum permissible level for the combined residue of the subject herbicide and its metabolite in or on mangoes at 0.2 part per million (ppm).

DATE: Written comments must be received on or before October 13, 1981.

ADDRESS: Written comments to: Donald Stubbs, Emergency Response Section, Registration Division (TS-767C), Environmental Protection Agency, 401 M St. SW., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT:

Donald Stubbs (703-557-7123).

SUPPLEMENTARY INFORMATION: The Interregional Research Project No. 4 (IR-4), New Jersey Agricultural Experiment Station P.O. Box 231, Rutgers University, New Brunswick, NJ 08903, has submitted pesticide petition number 1E2490 to EPA on behalf of the IR-4 Technical Committee and the Agricultural Experiment Stations of Florida and Puerto Rico.

This petition requested that the Administrator, pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act, propose the establishment of a tolerance for the combined residues of the herbicide glyphosate (*N*-phosphonomethyl glycine) and its metabolite aminomethylphosphonic acid resulting from application of the isopropylamine salt of glyphosate to the raw agricultural commodity mangoes at 0.2 ppm.

The data submitted in the petition and all other relevant material have been evaluated. The toxicological data considered in support of the proposed tolerance included a rabbit acute oral toxicity study with a lethal dose (LD₅₀) of 3.8 grams (g)/kilogram (kg) of body weight (bw); a 90-day rat feeding study with a no-observed-effect level (NOEL) of 2,000 ppm; a 90-day dog feeding study with a NOEL of 2,000 ppm; two rabbit teratology studies which were negative at 30 mg/kg of bw/day; a two year dog feeding study with a NOEL of 300 ppm; a three-generation rat reproduction study with a NOEL of 100 ppm; an 18-month mouse feeding study with no carcinogenic potential at 300 ppm (highest level fed); a two-year rat feeding study with a NOEL of 100 ppm (5 mg/kg/day); a hen neurotoxicity study (negative at 7.5 mg/kg); a mouse dominant lethal study (negative at 10 mg/kg, highest dose); a host-mediated mutagenicity assay (negative) and Ames test (negative); and a Rec-assay mutagenicity test (negative).

Additional toxicological studies included a rat teratology study negative at 3,500 mg/kg/day with a fetotoxic NOEL of 1,000 mg/kg/day, a third rabbit teratology study negative for teratogenicity at 350 mg/kg/day with a fetotoxic NOEL of 175 mg/kg/day, and a mouse dominant lethal study negative at 2,000 mg/kg. Data currently lacking include oncogenicity studies in two animal species.

The acceptable daily intake (ADI), based on the 2-year rat feeding study (NOEL of 5 mg/kg/day) and using a 100-fold safety factor, is calculated to be 0.05 mg/day of bw/day. The maximum permitted intake (MPI) for a 60 kg

human is calculated to be 3 mg/day. The theoretical maximum residue contribution (TMRC) from existing tolerances for a 1.5 kg daily diet is calculated to be 0.2163 mg/day. The current action will not utilize any of the ADL Published tolerances utilize 7.12 percent of the ADL.

The nature of the residues is adequately understood and an adequate analytical method (gas-liquid chromatography using flame photometric detection) is available for enforcement purposes. Since no feed items are associated with mangoes, there will be no problem of secondary residues in eggs, meat, milk, or poultry. There are presently no actions pending against the continued registration of the chemical. While the oncogenic potential of glyphosate is not fully elucidated, the chronic rat and mouse feeding studies provide assurance that glyphosate has a relatively low oncogenic potential. A further assurance of low risk with glyphosate is that, on a theoretical basis, the theoretical maximum exposure via the diet is about one-fifth of the ADL.

Based on the above information considered by the agency, the tolerance established by amending 40 CFR Part 180 would protect the public health. It is proposed, therefore, that the tolerance be established as set forth below.

Any person who has registered or submitted an application for registration of a pesticide, under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, which contains any of the ingredients listed herein may request, on or before October 13, 1981, that this rulemaking proposal be referred to an advisory committee in accordance with section 408(e) of the Federal Food, Drug, and Cosmetic Act.

Interested persons are invited to submit written comments on the proposed regulation. The comments must bear a notation indicating both the subject and the petition and document control number "[PP 1E2490/P186]". All written comments filed in response to this petition will be available for public inspection in the office of Donald Stubbs from 8:00 a.m. to 4:00 p.m., Monday through Friday, except legal holidays.

As required by Executive Order 12291, EPA has determined that this proposed rule is not a "Major" rule and therefore does not require a Regulatory Impact Analysis. In addition, the Office of Management and Budget (OMB) has exempted this regulation from the OMB review requirements of Executive Order 12291 pursuant to section 8(b) of that Order.