

system fluid shunt and components, FDA will consult with the Neurological Device Section of the Respiratory and Nervous System Devices Panel and will, by September 6, 1983 publish in the *Federal Register* an order denying the request or a notice of intent to initiate a proceeding under section 513(e) of the act and § 860.130 to reclassify the device.

If FDA determines that the device will remain classified in class II, FDA will continue the procedure by which a performance standard for the device may be established, as provided in Subpart B of 21 CFR Part 861.

The agency has determined pursuant to § 25.24(b)(9) (21 CFR 25.24(b)(9)) (proposed December 11, 1979; 44 FR 71742) that publication of notices in the *Federal Register* under section 514(b) of the act does not individually or cumulatively have a significant impact on the human environment. Further, the agency has determined pursuant to proposed § 25.24(b)(13) and (20), respectively, that issuance of a standard for a class II device or reclassification of a device would not have a significant impact on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required for this notice or subsequent actions that may be taken in response to it.

FDA certifies that this notice does not require a regulatory impact analysis, as specified in Executive Order 12291, nor a regulatory flexibility analysis, as defined in the Regulatory Flexibility Act (Pub. L. 96-354). FDA will consider the economic consequences of reclassifying this device if a petition for reclassification is received and granted. If the device is not reclassified, FDA will consider the economic consequences of the development of a performance standard when the provisions of the standard are known. Until such time, the economic consequences cannot be determined.

List of Subjects in 21 CFR Part 882

Medical devices, Neurological devices.

Interested persons may, on or before July 25, 1983, submit to the Dockets Management Branch (address above) written requests to change the classification of the central nervous system fluid shunt and components. Two copies of any requests are to be submitted, except that individuals may submit one copy. Requests are to be identified with the docket number found in brackets in the heading of this document. Received requests may be

seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

Dated: July 5, 1983.
William F. Randolph,
Acting Associate Commissioner for
Regulatory Affairs.

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BILLING CODE 4160-01-M

DEPARTMENT OF THE INTERIOR

Minerals Management Service

30 CFR Part 250

Outer Continental Shelf; Interpretation Concerning Authority to Depart from OCS Requirements

AGENCY: Minerals Management Service, Interior.

ACTION: Notice of Interpretation.

SUMMARY: The Outer Continental Shelf (OCS) lease of the Department of the Interior (DOI) concerning operations on the OCS requires a lessee to clear a lease location of rigs and other facilities within a specified period of time following abandonment of a well and termination of a lease in whole or in part. This Notice sets out the policy of DOI with respect to allowable departures from this requirement for the purpose of the conversion of rigs to artificial reefs for the protection of fish and other aquatic life, and for other purposes.

FOR FURTHER INFORMATION CONTACT: David Schuenke (703) 860-7916.

SUPPLEMENTARY INFORMATION: Following the termination of a lease in whole or in part, an OCS lessee is required to clear the terminated areas within a specified period of time. This requirement is imposed several times on OCS lessees. Section 22 of the Oil and Gas Lease of Submerged Lands Under the Outer Continental Shelf Lands Act, Form MMS-2005, August 1982, (formerly Form 3300-1 of the Bureau of Lands Management), states:

Within a period of one year after termination of this lease in whole or in part, the Lessee shall remove all devices, works, and structures from the premises no longer subject to the lease in accordance with applicable regulations and orders of the Director. However, the Lessee may, with the approval of the Director, continue to maintain devices, works, and structures on the lease area for drilling or producing on other leases.

The regulations at 30 CFR 256.78 on relinquishment of leases or parts of leases require a lessee "... to abandon all wells and condition or remove all platforms and other facilities on the land

to be relinquished to the satisfaction of the Director."

OCS Order No. 3, "Plugging and Abandonment of Wells" requires in paragraph 2.9 the clearance of the location. However, paragraph 4 of the Order also allows for departures from the requirements pursuant to 30 CFR 250.11(b). That section states:

The Director may prescribe or approve, in writing or orally with subsequent written confirmation, departures from the requirements of OCS Orders and other orders and field rules issued pursuant to paragraph (a)(1) of this section, when such departures are necessary for the proper control of a well, the facilitation of the proper development of a lease, the conservation of natural resources, the protection of life (including fish and other aquatic life), property, or the marine, coastal or human environment.

While the rules governing OCS operations require the removal of platforms and other structures no longer in use for oil and gas recovery, this announces the policy of DOI to permit platforms or other facilities or parts thereof to remain on the OCS lease for the protection of fish and other aquatic life and for the conservation of natural resources. The Director of the Minerals Management Service will exercise his discretionary authority under 30 CFR 250.11(b) to permit, when appropriate, the conversion of platforms and other facilities on the OCS from their primary function to use as artificial reefs as habitats for fish and other aquatic life. The Director will also take into account the potential use of such platforms and other facilities for future energy production through tertiary recovery in the interest of conservation of natural resources.

Numerous artificial reefs already exist both in State waters and on the OCS. These reefs have been strategically positioned to improve the habitat of fish. They have been constructed from a variety of materials, including old tires and discarded vessels. Recently-retired oil and gas rigs have already been placed as reefs in State waters. If not used as reefs, the oil and gas rigs are usually transported to shore and cut up for scrap, but lessees have indicated that the rigs generally have minimal salvage value. This circumstance makes obsolete rigs excellent candidates for use as artificial reefs.

The selection of ideal fish-habitat locations for artificial reefs will depend upon the determinations of the National Marine Fisheries Service, the U.S. Fish and Wildlife Service, State agencies, and other governmental entities. Appropriate permissions from the U.S. Coast Guard, the U.S. Corps of

Engineers, State agencies, and other agencies will also need to be obtained for navigation, safety, and related considerations. The DOI will encourage the appropriate conversion and use of rigs as reefs in whatever location it is decided that a reef would be beneficial. The OCS requirements do not prevent conversion of a rig to a reef if it is removed and transported to another location. If it is decided that the rig should be left in place on the lease, the Director can approve this departure from the removal requirements under 30 CFR 250.11.

In determining whether a rig or other facility should be left in place on the OCS following the completion of primary and/or secondary recovery, the Director will also take into account the potential use of the rig or facility for future tertiary recovery of oil and gas. This is in the interest of the conservation of natural resources within the meaning of 30 CFR 250.11. The retention of a platform or other facility may provide a cost savings associated with future (although not currently planned) tertiary recovery rendering that recovery economically feasible.

Dated: June 29, 1983.

Dave Russell,
Acting Director.

[FR Doc. 83-16386 Filed 7-7-83; 8:45 am]
BILLING CODE 4310-MR-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[Region II Docket No. 6 A-2-FRL 2323-6]

Air Quality; Revision to the New Jersey State Implementation Plan

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: This notice announces approval by the Environmental Protection Agency of a revision to the New Jersey State Implementation Plan. It approves two new State regulatory approaches to the control of sulfur dioxide (SO₂) emissions from fuel oil combustion sources: non-coal burning sources would be allowed to "bubble" their SO₂ emissions; and sources voluntarily converting to coal combustion would be allowed to use, in the period prior to conversion, oil with a higher sulfur content than currently permitted. Receipt of this SIP revision was announced in the *Federal Register* on February 3, 1982 at 47 FR 5014, where its provisions are fully described.

EFFECTIVE DATE: This action becomes effective on July 8, 1983.

ADDRESSES: Copies of the State's submittal and the public comments received on EPA's proposal are available for inspection during normal business hours at the following locations:

Environmental Protection Agency,
Region II, Air Programs Branch, Jacob K. Javits Federal Building, 26 Federal Plaza, Room 1005, New York, New York 10278

Environmental Protection Agency,
Public Information Reference Unit, 401 M Street, SW, Washington, D.C. 20460
New Jersey Department of Environmental Protection, Bureau of Air Pollution Control, Room 1108, Labor and Industry Building, John Fitch Plaza, CN 027, Trenton, New Jersey 08625

A copy of the State's submittal is also available for inspection at the address below:

Office of the Federal Register, 1101 L Street, NW, Room 8401, Washington, D.C. 20408

FOR FURTHER INFORMATION CONTACT: William S. Baker, Chief, Air Programs Branch, Environmental Protection Agency, Region II, Jacob K. Javits Federal Building, 26 Federal Plaza, Room 1005, New York, New York 10278, (212) 264-2517.

SUPPLEMENTARY INFORMATION: On October 29, 1981 the Environmental Protection Agency (EPA) received from the State of New Jersey a proposed revision to its State Implementation Plan (SIP). This revision to the New Jersey SIP has two principal provisions. One provision would permit a non-coal fuel burning facility to average sulfur dioxide (SO₂) emissions from more than one of its stacks in determining compliance with State emission limits. The second provision would permit the burning of higher sulfur content fuel for up to three years by a facility which voluntarily plans conversion to burn coal or "other solid fuel." These new SO₂ control strategies are referred to as the "sulfur dioxide bubble" and the "clean conversion incentive," respectively. Both control strategies have been incorporated in the New Jersey SIP as revisions to the regulation entitled "Sulfur in Fuels" (Subchapter 9 Chapter 27, Title 7, New Jersey Administrative Code).

In an effort to expedite the processing of this SIP revision, EPA used a review procedure known as "parallel processing." Under this procedure EPA published a notice of proposed rulemaking in the *Federal Register*

(February 3, 1982, 47 FR 5014) essentially at the same time as the action was proposed by the State. The reader is referred to the February 3, 1982 notice for a detailed description of the State's revision request. As described in EPA's notice of proposed rulemaking, approval of the revision was contingent upon the State finally adopting its proposal in a substantially unchanged form. On December 16, 1982 the State submitted to EPA for final approval its revision to "Sulfur in Fuels" in a substantially unchanged form from its proposal. The following summarizes the changes of most significance from the draft regulation discussed in EPA's February 3, 1983 *Federal Register* proposal:

7:27-9.1, "Definitions"

- The proposed definition of "Municipal solid waste" was reworded.
- Definitions of "Air quality simulation model" and "Solid fuel" were added to this section.

7:27-9.2, "Sulfur Content Standards"

- Section 9.2(d)3
Each applicant for an SO₂ bubble must now certify that the total SO₂ emissions from the proposed bubble during each 24-hour period will not exceed the maximum total weight of SO₂ that all the sources in the bubble were allowed to emit at the time of application.

• Section 9.2(d)

Applicants for an SO₂ bubble will now be required (unless waived by NJDEP) to demonstrate the protection of prevention of significant deterioration increments, as well as national ambient air quality standards.

• Section 9.2(g)

The provision calling for the periodic review and revision of Section 9.2 was not adopted.

7:27-9.4, "Waiver of Air Quality Modeling"

• Section 9.4(c)

The formula for calculating the "plume rise" was modified to provide results in feet instead of meters.

7:27-9.5, "Incentive for Conversion to Coal or Other Solid Fuel"

- All references to "municipal solid waste" in this section of the proposed regulation have been changed to "other solid fuel."

• Section 9.5(a)2

This provision which allows for the burning of high sulfur oil for up to two years has been expanded to allow for the burning of high sulfur oil for up to three years if the conversion from burning oil or gas is accomplished by

the installation of a new fuel burning unit.

Based on a careful review of the changes made to the regulation by the New Jersey Department of Environmental Protection, EPA has concluded that changes to the regulation were minor and did not result in any substantive changes from the proposed regulation.

However, EPA did note that use of the equation for determining plume rise in Section 9.4 of the regulation may cause some confusion. Although a user of the equation would arrive at a numerically correct solution and one that is appropriate for the regulation, the resultant units of the answer would not appear in feet, as specified by the regulation. Users of the equation are advised to ignore this apparent discrepancy. The numerical solution calculated by the equation is in feet. The New Jersey Department of Environmental Protection has advised EPA that it will similarly clarify this matter for the appropriate staff.

In its February 3, 1982 notice, EPA advised the public that comments would be accepted as to whether the proposed revision to the New Jersey SIP should be approved or disapproved. During the 30-day comment period, which ended on March 5, 1982, EPA received three comments, which are discussed as follows:

Comment No. 1

The Pennsylvania Department of Environmental Resources commented that it wanted to be consulted by the State when New Jersey was considering the issuance of a permit allowing the temporary use of higher sulfur at a converting facility. In addition, the commentator believes that New Jersey's regulation should provide for formal notification by New Jersey to its surrounding States regarding the potential air quality impacts of an action under the New Jersey regulation.

In response, it should be noted that EPA requires a SIP revision to be submitted for all "SO₂ bubbles" that require modeling and for all "clean conversion incentives". The SIP revision process will ensure that citizens, local governments, and states surrounding New Jersey will have ample opportunity to comment on such actions. "SO₂ bubbles" which do not require SIP revisions are defined as not causing significant increases in ground level contamination; thus interstate

notification would serve no practical purpose. However it is EPA's understanding that notification on a local level and opportunity to comment is a standard procedure in New Jersey for all bubble actions.

Comment No. 2

The New Jersey Business Industry Association commented that it strongly supports the SO₂ bubble and "clean conversion incentive" provisions of this revision to the New Jersey Administrative Code.

Comment No. 3

The New Jersey Department of Environmental Protection commented that it does not believe that SO₂ bubbles for which simulation modeling is required need to be handled as SIP revisions; they should be only reviewed by EPA, and approved on a case-by-case basis if necessary.

As discussed in its February 3, 1982 Federal Register proposal, EPA must review as a SIP revision any New Jersey SO₂ bubble application requiring detailed air quality simulation modeling. Such bubble applications could be exempt from SIP revisions if the state rule had specified exactly how air quality models would be applied, and insured that use of the models is replicable. Without such provision in the New Jersey regulations, bubbles requiring air quality modeling must be reviewed on a case-by-case basis as SIP revisions.

Conclusion

Based upon its review of the State's submittal, EPA finds that it meets the requirements of Section 110 of the Clean Air Act, and is approved. This action is being made immediately effective because it imposes no hardship on the affected sources, and no purpose would be served by delaying its effective date.

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 sixty 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.

Pursuant to the provision of 5 U.S.C. 605(b) the Administrator has certified that SIP approvals under Section 110 of the Clean Air Act will not have a

significant impact on a substantial number of small entities (46 FR 8709, Jan. 27, 1981). The attached rule constitutes a SIP approval under Section 110 within terms of the January 27 certification. This action only approves a State action. It imposes no new requirements.

The Office of Management and Budget (OMB) has exempted this regulation from the OMB requirement of Executive Order 12291.

List of Subjects in 40 CFR Part 52

Air pollution control, Ozone, Sulfur oxides, Nitrogen dioxide, Lead, Particulate matter, Carbon monoxide, Hydrocarbons, Intergovernmental relations.

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

Note.—Incorporation by reference of the State Implementation Plan of New Jersey was approved by the Director of the Federal Register on July 1, 1982.

Dated: June 28, 1983.

William D. Ruckelshaus,
Administrator, Environmental Protection Agency.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

Suppart FF—New Jersey

1. Section 52.1570 is amended by adding new paragraph (c)(33) as follows:

§ 52.1570 Identification plan.

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

(33) A revision submitted by the New Jersey Department of Environmental Protection on December 16, 1982 consisting of amendments to the provisions of the New Jersey Administrative Code (N.J.A.C.) 7:27-9.1 *et seq.*, *Sulfur in Fuels*, to provide for "sulfur dioxide bubbles" and "clean conversion incentives."

2. Section 52.1605 is amended by revising the ninth entry to read as follows:

§ 52.1605 EPA-approved New Jersey regulations.

State regulation	State effective date	EPA approved date	Comments
Subchapter 9, "Sulfur in Fuels"	Feb. 4, 1983	July 8, 1983; 48 FR	Sulfur dioxide "bubble" permits issued by the State pursuant to § 9.2 and not waived under the provisions of § 9.4 become applicable parts of the SIP only after receiving EPA approval as a SIP revision. "Clean conversion incentive" permits issued pursuant to § 9.5 must receive EPA approval as a SIP revision to become applicable parts of the SIP.

[FR Doc. 83-16406 Filed 7-7-83; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 52

[A-5-FRL 3220-1]

Air Quality; Approval and Promulgation of Implementation Plans; Ohio

AGENCY: Environmental Protection Agency.

ACTION: Final rulemaking.

SUMMARY: The EPA announces approval of revisions to the Ohio State Implementation Plan (SIP) for Rules 3745-35-03 of the Ohio Administrative Code. These rules set forth requirements for the issuance of variances in Ohio. EPA's action is based upon a revision request which was submitted by the State.

DATE: This action will be effective September 6, 1983 unless notice is received within 30 days that someone wishes to submit adverse or critical comments.

ADDRESSES: Copies of this revision to the Ohio SIP are available for inspection at: The Office of the Federal Register, 1100 L Street, NW., Room 8401, Washington, D.C. 20408.

Copies of the SIP revision, public comments on the notice of final rulemaking and other materials relating to this rulemaking are available for inspection at the following addresses: (It is recommended that you telephone Debra Marcantonio at (312) 886-6088 before visiting the Region V Office).

Environmental Protection Agency,
Region V, Air Programs Branch, 230
South Dearborn Street, Chicago,
Illinois 60604

Environmental Protection Agency,
Public Information Reference Unit, 401
M Street, SW., Washington, D.C.
20460

Ohio Environmental Protection Agency,
Office of Air Pollution Control, 361
East Broad Street, Columbus, OH
43216

Written comments should be sent to:
Gary Gulezian, Chief, Regulatory
Analysis Section, Air Programs Branch
(5AP-26), Environmental Protection

Agency, Region V, 230 South Dearborn
Street, Chicago, IL 60604.

FOR FURTHER INFORMATION CONTACT:
Debra Marcantonio, Air Programs
Branch (5AP-26), Environmental
Protection Agency, Region V, Chicago,
IL 60604; (312) 886-6088.

SUPPLEMENTARY INFORMATION: EPA is today approving revisions to Ohio SIP Rules 3745-35-03. The revisions amend the rules regarding the issuance of variances in Ohio. The State of Ohio submitted these rules to EPA on October 1, 1982 and February 28, 1983. Ohio revised OAC Rule 3745-35-03(C) by adding a new paragraph (8). This rule requires the Ohio EPA to propose to amend any existing Ohio emission limits to correspond with the emission limits in a variance, provided the variance has been approved by EPA and the change does not violate any applicable air pollution control requirements. The State has informed EPA of its intent that any revision to the Ohio rule under paragraph (G)(8) that is significantly different from the terms of EPA's prior approval of the variance on which that revision is based would need to be approved by EPA before it could become part of the federally enforceable Ohio SIP. The State has agreed that a significant difference would include any change in the compliance schedule, final compliance date, or emission limit. EPA is approving this revision to the Ohio SIP.

Ohio revised OAC Rule 3745-35-03(E)(2)(d)(i) by removing the phrase "at the same facility." The removal of this phrase allows Ohio to approve "bubble" variances between sources at different facilities in the same general geographical area. This revision is consistent with EPA's Emissions Trading Policy Statement which was published in the Federal Register on April 7, 1982 (47 FR 15076). EPA is approving this revision to the Ohio SIP.

Ohio also revised Rule 3745-35-03(H)(3) by allowing variances to be effective for up to 3 years rather than be limited to only 1 year. EPA is also approving this revision to the Ohio SIP.

Because EPA considers today's action noncontroversial and routine, we are approving it today without prior proposal. The action will become effective on September 6, 1983. However, if we receive notice by 30 days from the date of this notice that someone wishes to submit critical comments, then EPA will publish: (1) A notice that withdraws the action, and (2) a notice that begins a new rulemaking by proposing the action and establishing a comment period.

The Office of Management and Budget has exempted this rule from the requirements of Section 3 of Executive Order 12291.

Under 5 U.S.C. 605(b), the Administrator has certified that SIP approvals do not have a significant economic impact on a substantial number of small entities.

Under Section 307(b)(1) of the Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by September 6, 1983. This action may not be challenged later in proceedings to enforce its requirements. (See 307(b)(2).)

List of Subjects in 40 CFR Part 52

Air pollution control, Ozone, Sulfur oxides, Nitrogen dioxide, Lead, Particulate matter, Carbon monoxide, Hydrocarbons, Intergovernmental relations.

This notice is issued under authority of section 110, Clean Air Act, as amended (42 U.S.C. 7410).

Dated: June 28, 1983.
William D. Ruckelshaus,
Administrator.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

Section 52.1870 is amended by adding paragraph (c)(51) as follows:

§ 52.1870 Identification of Plan.

(c) * * *

(51) On October 1, 1982, and February 28, 1983 the State of Ohio submitted revisions to Ohio Administrative Code (OAC) Rules 3745-35-03 which set forth requirements for obtaining variances.

[FR Doc. 83-18286 Filed 7-7-83; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Parts 52 and 62

[A-4-FRL 2371-2; NC-005]

Air Programs; State Implementation Programs; North Carolina: Plan for TRS From Kraft Pulp Mills Alabama, Florida, Georgia, and North Carolina

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: EPA today approves a number of minor changes which North Carolina submitted for approval as State Implementation Plan (SIP) revisions, as well as a plan which the State developed pursuant to section 111(d) of the Clean Air Act for the control of total reduced sulfur (TRS) from kraft pulp mills. EPA is also reformatting the entries in 40 CFR Part 62 for Alabama, Florida, Georgia, and North Carolina to make them consistent with entries for other states.

DATE: This action is effective August 8, 1983.

ADDRESSES: Copies of the materials submitted by the State may be examined during normal business hours at the following locations:

Public Information Reference Unit,
Environmental Protection Agency, 401
M Street S.W., Washington, D.C.
20460

Library, Office of the Federal Register,
1100 L Street N.W., Room 8401,
Washington, D.C. 20005

Environmental Protection Agency,
Region IV, Air Management Branch,
345 Courtland Street, N.E., Atlanta,
Georgia 30365

Division of Environmental Management,
North Carolina Department of Natural
Resources and Community
Development, Archdale Building, 512
N. Salisbury Street, Raleigh, North
Carolina 27611

FOR FURTHER INFORMATION CONTACT:
Walter Bishop, Air Management Branch,
EPA Region IV, at the above address,
telephone 404/881-3043 (FTS 257-3043).

SUPPLEMENTARY INFORMATION: On May 2, 1980, the North Carolina Division of Environmental Management submitted for EPA's approval a plan for the control of TRS from kraft pulp mills, as required by EPA regulations implementing section 111(d) of the Clean Air Act. On September 24, 1982, the State submitted changes in this plan and other changes in the North Carolina air pollution control regulations. EPA proposed approval of this section 111(d) plan and the SIP revisions on March 29, 1983 (48 FR 13052); no comments were received, and the Agency is today giving final approval to the changes. For the convenience of the reader, the materials are described in the order they appear in the State regulations.

Regulation 15 NCAC 2D.0501, Compliance with Emission Control Standards. Test methods for TRS are added—EPA method 16 and proposed method 16A.

Regulation 15 NCAC 2D.0524, New Source Performance Standards. Federal standards for six categories of new stationary sources are added to the list in this regulation.

Regulation 15 NCAC 2D.0528, Total Reduced Sulfur from Kraft Pulp Mills. This regulation sets the emission limits recommended in the EPA guideline document for various sources of TRS in kraft pulping operations. These limits call for substantial reductions by all of the State's five pulp mills. Compliance schedules with increments of progress are set forth in 2D.0528(f); the compliance deadlines extend several months beyond those specified in EPA's guideline except in the case of recovery furnaces. Optional compliance schedules are provided in 2D.0528(g) for sources which may have difficulty meeting the deadlines in 2D.0528(f); for sources other than recovery furnaces, these schedules extend final compliance for several months beyond the deadlines given in 2D.0528(f); to June 1986 for recovery furnaces, September 1984 for lime kilns, and December 1982 for other covered sources. To minimize compliance difficulties further, the State provides in 2D.0528(h) for alternate compliance schedules to be approved if resulting emissions of TRS will be no greater than under paragraphs (f) and (g) and if the same increments of progress are included.

Regulation 15 NCAC 2D.0603, Sources Covered by National Standards. The list of sources required by Federal standards to monitor and report emissions is updated by adding four source categories for which EPA recently promulgated performance standards.

Action

EPA is today approving the SIP revisions described in this notice. The Agency also approves the North Carolina section 111(d) plan for TRS from kraft pulp mills.

At this time EPA is promulgating technical amendments to the subparts of 40 CFR Part 62 which currently codify EPA's actions on section 111(d) plans for Alabama, Florida, Georgia, and North Carolina. Since the amendments merely reorganize those subparts to make them conform to a new format, and do not change their substance, it is unnecessary to solicit public comment on them. For this reason, EPA feels there is good cause under 42 U.S.C. 553(b)(B) to promulgate these technical amendments without further notice and comment.

Under Section 307(b)(1) of the Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by August 8, 1983. This action may not be challenged later in proceedings to enforce its requirements. (See sec. 307(b)(2).)

The Office of Management and Budget has exempted this rule from the requirements of Section 3 of Executive Order 12291.

The Director of the Federal Register on July 1, 1982, approved the incorporation by reference of the North Carolina State Implementation Plan and the state plans for designated facilities and pollutants.

List of Subjects in 40 CFR Parts 52 and 62

Air pollution control,
Intergovernmental relations, Ozone,
Sulfur oxides, Nitrogen dioxide, Lead,
Particulate matter, Carbon monoxide,
Hydrocarbons, Fluoride, Sulfur,
Administrative practice and procedure,
Reporting and record keeping
requirements.

(Sec. 110(a) and 111(d), Clean Air Act (42 U.S.C. 7410(a) and 7411(d)))

Dated: June 30, 1983.

William D. Ruckelshaus,
Administrator.

PART 52—[AMENDED]

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

Subpart II—North Carolina

1. In §52.1770 is amended by adding paragraph (c)(35) as follows:

§ 52.1770 Identification of plan.

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

(35) Changes in regulations 2D.0524 and .0603, submitted on September 24, 1982, by the North Carolina Department of Natural Resources and Community Development.

PART 62—[AMENDED]

Part 62 of Chapter I, Title 40, Code of Federal Regulations, is amended as follows:

2. Subpart B—Alabama is revised to read as follows:

Subpart B—Alabama

Plan for the Control of Designated Pollutants From Existing Facilities [111(d) Plan]

Sec.

62.100 Identification of plan.

Sulfuric Acid Mist From Existing Sulfuric Acid Plants

62.101 Identification of sources.

Fluoride Emissions From Phosphate Fertilizer Plants

62.102 Identification of sources.

62.103–62.119 [Reserved].

Subpart B—Alabama

Plan for the Control of Designated Pollutants From Existing Facilities [Section 111(d) Plan]

§ 62.100 Identification of plan.

(a) *Identification of plan.* Alabama Designated Facility Plan (§ 111(d) Plan).

(b) *The plan was officially submitted as follows.* (1) Control of sulfuric acid mist emissions from existing sulfuric acid production units, submitted on May 18, 1980;

(2) Control of fluoride emissions from existing phosphate fertilizer plants, submitted on April 10, 1978.

(c) *Designated facilities.* The plan applies to existing facilities in the following categories of sources:

- (1) Sulfuric acid plants;
- (2) Phosphate fertilizer plants.

Sulfuric Acid Mist From Existing Sulfuric Acid Plants

§ 62.101 Identification of sources.

The plan applies to existing facilities at the following sulfuric acid plants:

- (a) Acid plants operated by
 - (1) Reichhold Chemical Company in Tuscaloosa,
 - (2) Stauffer Chemical Company in Mobile, and
 - (3) Estech Chemical in Dothan.
- (b) There are no oleum plants.

(c) There are not sulfur-burning plants.

(d) There are no bound sulfur feedstock plants.

Fluoride Emissions From Phosphate Fertilizer Plants

§ 62.102 Identification of sources.

The plan currently does not identify any sources subject to its fluoride emission limits.

§§ 62.103–62.119 [Reserved]

3. Subpart K—Florida and Subpart L—Georgia are revised to read as follows:

Subpart K—Florida

Plan for the Control of Designated Pollutants From Existing Facilities [Section 111(d) Plan]

Sec.

62.2350 Identification of plan.

Sulfuric Acid Mist From Existing Sulfuric Acid Plants

62.2351 Identification of sources.

62.2352–62.2369 [Reserved].

Subpart L—Georgia

Plan for the Control of Designated Pollutants From Existing Facilities [Section 111(d) Plan]

62.2600 Identification of plan.

Sulfuric Acid Mist From Existing Sulfuric Acid Plants

62.2601 Identification of sources.

Fluoride Emissions From Phosphate Fertilizer Plants

62.2602 Identification of sources—Negative declaration.

Total Reduced Sulfur Emissions From Kraft Pulp Mills

62.2603 Identification of sources.

62.2604 Compliance schedules.

62.2605–62.2619 [Reserved].

Subpart K—Florida

Plan for the Control of Designated Pollutants From Existing Facilities [Section 111(d) Plan]

§ 62.2350 Identification of plan.

(a) *Identification of plan.* Florida Designated Facility Plan (Section 111(d) Plan).

(b) *The plan was officially submitted as follows.* (1) Control of sulfuric acid mist emissions from existing sulfuric acid production units, submitted on December 14, 1978.

(c) *Designated facilities.* The plan applies to existing facilities in the following categories of sources:

- (1) Sulfuric acid plants.

Sulfuric Acid Mist From Existing Sulfuric Acid Plants

§ 62.2351 Identification of sources.

The plan applies to existing facilities at the following sulfuric acid plants:

- (a) Acid plants operated by:
 - (1) Occidental Petroleum Company in Hamilton County,
 - (2) AMAX Phosphate Inc. in Manatee County,
 - (3) Conserv Chemical in Nichols,
 - (4) Farmland Industry in Bartow County,
 - (5) W. R. Grace Company in Polk County,
 - (6) Royster Fertilizer in Polk County,
 - (7) USS Agrichemicals in Polk County,
 - (8) Central Farmers Co-Op in Polk County,
 - (9) Agrico Chemical Company in Polk County,
 - (10) Gardinier, Inc. in Hillsborough County, and
 - (11) ESTECH in Polk County.
- (b) There are no oleum plants.
- (c) There are no sulfur-burning plants.
- (d) There are no bound sulfur feedstock plants.

§§ 62.2352–62.2369 [Reserved]

Subpart L—Georgia

Plan for the Control of Designated Pollutants From Existing Facilities [Section 111(d) Plan]

§ 62.2600 Identification of plan.

(a) *Identification of plan.* Georgia Designated Facility Plan (§ 111(d) Plan).

(b) *The plan was officially submitted as follows.* (1) Control of sulfuric acid mist emissions from existing sulfuric acid production units, submitted on January 31, 1978;

(2) Control of total reduced sulfur emissions from existing facilities at Kraft pulp mills, submitted on January 8, 1982.

(c) *Designated facilities.* The plan applies to existing facilities in the following categories of sources:

- (1) Sulfuric acid plants;
- (2) Kraft pulp mills.

Sulfuric Acid Mist From Existing Sulfuric Acid Plants

§ 62.2601 Identification of sources.

The plan applies to existing facilities at the following sulfuric acid plants:

- (a) Sulfur-burning plants operated by:
 - (1) American Cyanamid Company in Savannah, and
 - (2) Cities Service Company in Augusta.
- (b) Oleum plant of Cities Service Company in Augusta.
- (c) There are no bound sulfur feedstock plants.

Fluoride Emissions From Phosphate Fertilizer Plants**§ 62.2602 Identification of sources—Negative declaration.**

The Georgia Environmental Protection Division submitted on July 14, 1977, a letter certifying that there are no existing phosphate fertilizer plants in the State subject to Part 60, Subpart B, of this chapter.

Total Reduced Sulfur Emissions From Kraft Pulp Mills**§ 62.2603 Identification of sources.**

The plan applies to existing facilities at the following Kraft pulp mills:

- (a) Continental Can in Augusta,
- (b) Continental Can in Port Wentworth,
- (c) Brunswick in Brunswick,
- (d) Georgia Kraft in Rome,
- (e) Georgia Kraft in Macon,
- (f) Gilman in St. Marys,
- (g) Great Southern in Cedar Springs,
- (h) Interstate in Riceboro,
- (i) ITT Rayonier in Jesup,
- (j) Owens-Illinois in Valdosta, and
- (k) Union Camp in Savannah.

§ 62.2604 Compliance schedules.

EPA takes no action on this portion of the plan because of the vagueness of the starting dates for compliance schedules.

§§ 62.2605–62.2619 [Reserved]

4. Subpart II—North Carolina is revised to read as follows:

Subpart II—North Carolina**Plan for the Control of Designated Pollutants From Existing Facilities [Section 111(d) Plan]**

Sec.

62.8350 Identification of plan.**Sulfuric Acid Mist From Existing Sulfuric Acid Plants****62.8351 Identification of sources.****Fluoride Emissions From Existing Primary Aluminum Plants****62.8352 Identification of Sources.****Total Reduced Sulfur Emissions From Kraft Pulp Mills****62.8353 Identification of sources.****62.8354–62.8369 [Reserved]****Subpart II—North Carolina****Plan for the Control of Designated Pollutants From Existing Facilities [Section 111(d) Plan]****§ 62.8350 Identification of plan.**

(a) *Identification of plan.* North Carolina Designated Facility Plan (Section 111(d) Plan).

(b) *The plan was officially submitted as follows.* (1) Control of sulfuric acid mist emissions from existing sulfuric

acid production units, submitted on October 27, 1978, and November 14, 1979.

(2) Control of fluoride emissions from existing primary aluminum plants, submitted on April 16, and August 24, 1981.

(2) Control of total reduced sulfur emissions from existing facilities at kraft pulp mills, submitted on May 2, 1980, and September 24, 1982.

(c) *Designated facilities.* The plan applies to existing facilities in the following categories of sources:

- (1) Sulfuric acid plants.
- (2) Primary aluminum plants.
- (3) Kraft pulp mills.

Sulfuric Acid Mist From Existing Sulfuric Acid Plants**§ 62.8351 Identification of sources.**

The plan applies to existing facilities at the following sulfuric acid plants:

- (a) Sulfur-burning plants operated by:
 - (1) Texasgulf Inc. in Beaufort County,
 - (2) Swift Agricultural Chemical Company in Brunswick County,
 - (3) USS Agri-Chemicals in Brunswick County,
 - (4) Wright Chemical Corporation in Columbus County, and
 - (5) Northeast Chemical Company in New Hanover County.

(b) There are no oleum plants.

(c) There are no bound sulfur feedstock plants.

Fluoride Emissions From Existing Primary Aluminum Plants**§ 62.8352 Identification of sources.**

(a) The plan applies to the following existing primary aluminum plant facilities.

(1) Two potlines of prebake cells at the Badin (Stanly County) plant of the Aluminum Corporation of America.

Total Reduced Sulfur Emissions From Kraft Pulp Mills**§ 62.8353 Identification of sources.**

The plan applies to existing facilities at the following kraft pulp mills:

- (a) Federal Paper Board in Riegelwood,
- (b) Hoerner-Waldorf in Roanoke Rapids,
- (c) U.S. Plywood-Champion Paper in Canton,
- (d) Weyerhaeuser in New Bern, and
- (e) Weyerhaeuser in Plymouth.

§§ 62.8353–62.8369 [Reserved]

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40 CFR Parts 125, 146, 423, 425, 430, 431, 465, and 466

[OW-FRL-2395-5]

Reporting and Recordkeeping Requirements; OMB Approval; Technical Amendments

AGENCY: Environmental Protection Agency.

ACTION: Technical amendment.

SUMMARY: EPA is announcing a technical amendment to publish the Office of Management and Budget (OMB) control number that have been assigned to the information requirements contained in the following regulations: Modification of Secondary Treatment Requirements for Discharges Into Marine Waters; Underground Injection Control Program and Standards; and Effluent Guidelines for steam electric power; pulp, paper and paperboard; leather tanning and finishing; coil coating; and porcelain enameling.

DATES: The following sections are effective as of May 18, 1983: 40 CFR 423.13(d)(3), 40 CFR 423.15(j)(3), 40 CFR 425.04(c)(5), 40 CFR 430.14–430.17, 40 CFR 430.24–430.27, 40 CFR 430.54–430.57, 40 CFR 430.64–430.67, 40 CFR 430.74–430.77, 40 CFR 430.84–430.87, 40 CFR 430.94–430.97, 40 CFR 430.104–430.107, 40 CFR 430.114–430.117, 40 CFR 430.134–430.137, 40 CFR 430.144–430.147, 40 CFR 430.154–430.157, 40 CFR 430.164–430.167, 40 CFR 430.174–430.177, 40 CFR 430.184–430.187, 40 CFR 430.194–430.197, 40 CFR 430.204–430.207, 40 CFR 430.214–430.217, and 40 CFR 430.224–430.227. 40 CFR 125.67(d) (Appendices A and B) became effective on December 7, 1982; 40 CFR 146.23 and 146.33 on May 11, 1982; 40 CFR 423.12(a) on July 13, 1981; 40 CFR .13(d)(2) on May 31, 1983; 40 CFR 423.13(c)(2), 423.15(h)(2), 423.15(i)(2), and 423.15(j)(2) on May 31, 1983.

FOR FURTHER INFORMATION CONTACT:

Marion K. Thompson, Office of Regulation Review (WH-556), Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460, or by calling (202) 382-5688.

SUPPLEMENTARY INFORMATION:**I. Technical Amendment**

In the preambles to the following regulations, EPA noted that the information requirements were under review at the Office of Management and Budget (OMB). In accordance with the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*), those provisions are not effective until OMB approval has been obtained.