

Dated: February 17, 1984.

William D. Ruckelshaus,
Administrator.

PART 52—[AMENDED]

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

Subpart F—California

1. Section 52.220 is amended by adding paragraphs (c)(126) (i)(B), (iii)(B), (v)(B) and (vi)(B) to read as follows:

§ 52.220 Identification of plan.

- (c) * * *
- (126) * * *
- (i) * * *
- (B) Amended Rules 16 and 19.
- * * *
- (iii) * * *
- (B) Amended Rules 409.8, 411 and 411.1 (G).
- * * *
- (v) * * *
- (B) Amended Rules 410.3 and 410.4.
- (vi) * * *
- (B) Amended Rule 2.22.
- * * *

[FR Doc. 84-5253 Filed 2-27-84; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 52

[A-4-FRL 2533-8; FL-010]

Approval and Promulgation of Implementation Plans; Florida: TSP Variance for Jacksonville Kraft Paper Co.

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: The Florida Department of Environmental Regulation (DER) submitted for EPA's approval as a State Implementation Plan (SIP) revision a variance for Jacksonville Kraft Paper Company (formerly St. Regis Paper Company) of Jacksonville, Florida. The revision allows the source until September 15, 1985, to achieve compliance with the reasonably available control technology (RACT) rule for particulate matter. Since neither the prevention of significant air quality deterioration (PSD) increments nor the national ambient air quality standards (NAAQS) will be violated and there is only a minor influence on the secondary nonattainment area, EPA hereby approves the revision.

DATE: These actions are effective March 29, 1984.

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

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

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

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

Florida Department of Environmental
Regulation, Bureau of Air Quality
Management, Twin Towers Office
Building, 2600 Blair Stone Road,
Tallahassee, Florida 32301

FOR FURTHER INFORMATION CONTACT:
Mr. Barry Gilbert, Air Management
Branch, EPA Region IV at the above
address and telephone number 404/881-
2864 or FTS 257-2864.

SUPPLEMENTARY INFORMATION:
Jacksonville Kraft Paper Company has
always been located in a particulate
attainment area, but is in the area of
influence of the Jacksonville secondary
particulate nonattainment area. The
designated nonattainment area was
reduced in size in the November 18,
1982, Federal Register, effective January
17, 1983.

DER RACT rules were adopted on
January 21, 1981, and were submitted to
EPA on February 27, 1981. The control
strategy for Jacksonville was submitted
on March 16, 1982. EPA proposed
approval on September 24, 1982, and
published the final notice approving the
SIP on May 2, 1983 (48 FR 19715). The
secondary attainment date for the areas
is July 31, 1986, in the control strategy.

Jacksonville Kraft Paper Co. has three
power boilers which are rated 185, 246,
and 246 MMBTU/hr. burn #6 oil with
2.27% sulfur and have no control
equipment. These boilers are out of
compliance with the DER rule Florida
Administrative Code (FAC) 17-
2.650(2)(c)2., Particulate Matter, Specific
RACT Emission Limiting Standards for
Stationary Sources, Fossil Fuel Steam
Generators, of 0.10 pounds of
particulates/million BTU. DER
regulation FAC 17-2.650(2)(f) requires
compliance schedules for sources not in
compliance. Such schedules are to be as
expeditious as practicable.

On July 11, 1983, DER held a hearing
to solicit public comments on the
proposed revision to DER rule FAC 17-
2.650(2)(c)2., for Jacksonville Kraft Paper
Co. On August 18, 1983, DER adopted
the variance and submitted (on

September 2, 1983) the variance as a SIP
revision to EPA. EPA proposed approval
of the variance on November 8, 1983 (48
FR 51339). No comments were received
on the proposal.

The revision allows the source to emit
0.19 lb. until September 15, 1985, when it
must meet the 0.10 lb. limit in DER rule
FAC 17-2.650(2)(c)2. A compliance
schedule is included which has
increments of progress during the last
six months prior to September 15, 1985,
for obtaining a fuel which will meet 0.10
lb. or DER approved control equipment.

DER has shown that the PSD
increments will not be violated by this
SIP revision. Information provided by
DER shows that there has not been an
increase in actual particulate or SO₂
emissions since the PSD baseline was
triggered on December 27, 1977.
Therefore, the PSD increments are not
being consumed.

The atmospheric dispersion modeling
of Jacksonville Kraft Paper Company
and other sources impacting the area
shows the NAAQS will continue to be
maintained in the attainment area. The
dispersion models (CRSTER and ISCST)
predict concentrations of 48 and 105 ug/
m³ for the annual and 24-hour periods,
respectively. The NAAQS are 75 and
150 ug/m³ for the annual and 24-hour
periods, respectively. This revision is
predicted to have less than a 16 ug/m³
24-hour impact in the area near the
plant. Past ambient monitoring in the
vicinity of the plant shows attainment of
the NAAQS. The predicted impact on
the secondary nonattainment area
approximately 7 kilometers away is 1
ug/m³ for the 24-hour average. This can
be considered a minor impact.

The Clean Air Act requires attainment
within a reasonable time. EPA
regulations, 40 CFR 52.13, Control
strategy: Sulfur oxides and particulate
matter, require attainment within 3
years unless the State shows that good
cause exists for postponing application
of the control technology. This depends
upon the degree of emission reduction
needed and the social, economic, and
technological problems involved. The
State has shown that good cause exists
for postponing application of such
control technology and that the
influence on the secondary
nonattainment area is minor.

Action. Accordingly, EPA is today
approving the State submittal. This
action is effective March 29, 1984.

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 [60 days from today]. This
action may not be challenged later in

proceedings to enforce its requirements. (See 307(b)(2).)

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

Incorporation by reference of the State Implementation Plan for the State of Florida was approved by the Director of the Federal Register on July 1, 1982.

List of Subjects in 40 CFR Part 52

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

(Sec. 110 of the Clean Air Act (42 U.S.C. 7410).)

Dated: February 17, 1984.

William D. Ruckelshaus,
Administrator.

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

PART 52—[AMENDED]

Subpart K—Florida

Section 52.520 is amended by adding paragraph (c)(54) as follows:

§ 52.520 Identification of plan.

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

(54) TSP variance for Jacksonville Kraft Paper Company, submitted on September 2, 1983, by the Florida Department of Environmental Regulation.

[FR Doc. 84-5216 Filed 2-27-84; 8:45 am]

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40 CFR Part 62

[A-7-FRL 2533-6; EPA Action No. 1460]

Approval and Promulgation of State Plans for Designated Facilities and Pollutants; States of Kansas, Missouri, and Nebraska

AGENCY: Environmental Protection Agency (EPA)

ACTION: Final rule.

SUMMARY: Section 111(d) of the Clean Air Act, as amended, requires states to submit to EPA plans to control emissions of certain pollutants at designated facilities. When there are no existing sources of the pollutant located in a state, the state may submit a negative declaration, i.e., a certification to that effect, in lieu of submission of a

plan revision for the control of the pollutant.

EPA has received negative declarations for phosphate fertilizer manufacturing plants from the States of Kansas and Nebraska; for kraft pulp mills from Missouri and Kansas; and for sulfuric acid plants from Nebraska. Today, EPA is taking action to approve these negative declarations.

EFFECTIVE DATE: This action is effective April 30, 1984 unless notice is received within 30 days that someone wishes to submit adverse or critical comments.

ADDRESSES: Comments should be addressed to Mary C. Carter, Environmental Protection Agency, Region VII, Air Branch, 324 East 11th Street, Kansas City, Missouri 64106. Copies of the state submission are available for inspection during normal business hours at the above address and at the following location: Nebraska Department of Environmental Control, Air Pollution Control Division, Box 94877, State House Station, 301 Centennial Mall South, Lincoln, Nebraska 68509

FOR FURTHER INFORMATION CONTACT: Mary C. Carter at (816) 374-3791, FTS 758-3791.

SUPPLEMENTARY INFORMATION: Section 111(d) of the Clean Air Act requires states to submit plans to control emissions of certain pollutants (designated pollutants) at existing sources (designated facilities) whenever standards of performance have been established under Section 111(b) for those pollutants at new sources of the same type. Designated pollutants do not include those that are already listed under Section 109(a), 108(a), National Ambient Air Quality Standards, or Section 112(b)(1)(A) Hazardous Air Pollutants.

Subpart B of 40 CFR Part 60 establishes procedures to be followed and requirements to be met in the development and submission of state plans for controlling designated pollutants. Part 62 of the Code of Federal Regulations provides the procedural framework for the submission of these plans. When designated facilities are located in a state, the state must develop and submit a plan for the control of the designated pollutant. However, 40 CFR 62.06 provides that if there are no existing sources of the designated pollutant located in a state, a letter of certification to that effect (negative declaration) is all that is required from the state. The negative declaration will be in lieu of a plan.

To date, EPA has published standards of performance for four designated

facilities and pollutants. EPA published standards for control of fluoride emissions from phosphate fertilizer plants on August 6, 1975, at 40 FR 33152; standards for control of fluoride emissions from primary aluminum reduction plants on January 26, 1976, at 41 FR 3826; standards for control of sulfuric acid mist from sulfuric acid plants on October 18, 1977, at 42 FR 55796; and standards for control of total reduced sulfur from kraft pulp mills on February 23, 1978, at 43 FR 7568.

The States of Nebraska, Kansas and Missouri have submitted negative declarations for various designated pollutants. The State of Nebraska submitted negative declarations on May 4, 1977, and on December 9, 1977, for phosphate fertilizer plants and for sulfuric acid plants, respectively. On August 2, 1978, and July 17, 1979, the State of Kansas submitted negative declarations for phosphate fertilizer manufacturing facilities and kraft pulp mills, respectively. The State of Missouri submitted a negative declaration for kraft pulp mills on May 14, 1982.

Action: EPA approves the negative declarations discussed in this rulemaking in lieu of Section 111(d) plans.

EPA believes these submissions are noncontroversial and is taking final action to approve them without prior proposal. The public should be advised that this action will be effective April 30, 1984. However, if notice is received within 30 days that someone wishes to submit adverse or critical comments, this action will be withdrawn and two subsequent notices will be published before the effective date. One notice will withdraw final action and another will begin a new rulemaking by announcing a proposal of 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), I certify that these negative declarations 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 (60 days from today). This action may not be challenged later in proceedings to enforce its requirements. (See 307(b)(2).)

This notice is issued under the authority of Section 111(d) of the Clean Air Act, as amended.

List of Subjects in 40 CFR Part 62

Air pollution control, Fluoride, Sulfur, Administrative practice and procedure, Intergovernmental relations, and Reporting and recordkeeping requirements.

Dated: February 17, 1984.

William D. Ruckelshaus,
Administrator.

PART 62—[AMENDED]

Part 62 of Chapter I, Subchapter C, Title 40 of the Code of Federal Regulations is amended by adding new Subparts R, AA, and CC, as follows:

* * * * *

Subpart R—Kansas**Fluoride Emissions From Existing Phosphate Fertilizer Plants**

Sec.

62.4100 Identification of plan—negative declaration.

Total Reduced Sulfur Emissions From Existing Kraft Pulp Mills

62.4125 Identification of plan—negative declaration.

* * * * *

Subpart AA—Missouri**Total Reduced Sulfur Emissions From Existing Kraft Pulp Mills**

62.6350 Identification of plan—negative declaration.

* * * * *

Subpart CC—Nebraska**Fluoride Emissions From Existing Phosphate Fertilizer Plants**

62.6850 Identification of plan—negative declaration.

Sulfuric Acid Mist Emissions From Existing Sulfuric Acid Plants

62.6875 Identification plan—negative declaration.

* * * * *

Authority: Sec. 111(d), Clean Air Act.

Subpart R—Kansas**Fluoride Emissions From Existing Phosphate Fertilizer Plants****§ 62.4100 Identification of Plan—Negative Declaration.**

Letter from the Director of the Department of Health and Environment submitted on August 2, 1978, certifying that there are no phosphate fertilizer manufacturing facilities in the State of Kansas.

Total Reduced Sulfur Emissions From Existing Kraft Pulp Mills**§ 62.4125 Identification of Plan—Negative Declaration.**

Letter from the Director of the Department of Health and Environment submitted on July 17, 1979, certifying that there are no kraft pulp mills in the State of Kansas.

Subpart AA—Missouri**Total Reduced Sulfur Emissions From Existing Kraft Pulp Mills****§ 62.63501 Identification of Plan—Negative Declaration.**

Letter from the Director of the Department of Natural Resources submitted on May 14, 1982, certifying that there are no kraft pulp mills in the State of Missouri.

Subpart CC—Nebraska**Fluoride Emissions From Existing Phosphate Fertilizer Plants****§ 62.6850 Identification of Plan—Negative Declaration.**

Letter from the Director of the Department of Environmental Control submitted on May 4, 1977, certifying that there are no phosphate fertilizer plants in the State of Nebraska.

Sulfuric Acid Mist Emissions From Existing Sulfuric Acid Plants**§ 62.6875 Identification of Plan—Negative Declaration.**

Letter from the Chief of the Air Pollution Control Division of the Department of Environmental Control submitted on December 9, 1977, certifying that there are no existing sulfuric acid plants in the State of Nebraska.

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40 CFR Part 271

[SW-3-FRL 2532-5]

Hazardous Waste Management Program; Pennsylvania; Request for Extension of Phase I Interim Authorization

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of extension of Phase I Interim Authorization period.

SUMMARY: The Commonwealth of Pennsylvania recently requested a further extension beyond the February 26, 1984 deadline, previously granted, for continued approval of their Phase I Interim Authorization under the Resource

Conservation and Recovery Act (RCRA), as amended (48 FR 33870, July 28, 1983). EPA is granting the requested extension. A delay in adopting the financial responsibility regulations necessary for approval of Pennsylvania's hazardous waste program under Phase II, Components A, B and C has resulted in the Commonwealth missing the February 26, 1984 deadline for submitting its application. The extension avoids termination on February 26, 1984 of Phase I Interim Authorization which EPA previously granted to Pennsylvania. I am now extending Pennsylvania's Phase I Interim Authorization until January 28, 1985 or the date Pennsylvania receives Final Authorization, whichever is earlier. This extension is based on the State's schedule calling for submission of a complete application for Final Authorization in June 1984.

EFFECTIVE DATE: February 17, 1984.

FOR FURTHER INFORMATION CONTACT:

Anthony J. Donatoni, Chief, State Programs Section, Environmental Protection Agency, Region III, Sixth & Walnut Streets, Philadelphia, PA 19106, Telephone: (215) 597-7370.

SUPPLEMENTARY INFORMATION:**Background**

40 CFR 271.122(c)(4) (formerly 123.122(c)(4); 47 FR 32377, July 26, 1982) requires that States which have received any, but not all, Phases/Components of Interim Authorization amend their original submissions by July 26, 1983, to include all Components of Phase II. Further, 40 CFR 271.137(a) (formerly § 123.137(a); 47 FR 32378, July 26, 1982) provides that on July 26, 1983, Interim Authorizations terminate except where the State has submitted by that date an application for all Phases/Components of Interim Authorization. Where the authorization (approval) of the State program terminates, EPA is to administer and enforce the Federal program in that State. However, the Regional Administrator may, for good cause, extend the July 26, 1983 deadline for the submission of a Phase II Interim Authorization application, and the deadline for termination of the EPA approved State program.

Note.—40 CFR Part 123, including the July 26, 1982 amendments (47 FR 32373), was recodified on April 1, 1983 as 40 CFR Part 271 (48 FR 14248).

Pennsylvania received Phase I Interim Authorization on May 26, 1981. However, the Commonwealth's ability to apply for Phase II, Components A, B and C Interim Authorization was

delayed by pending review and adoption of financial responsibility regulations. The Commonwealth did, however, on January 31, 1984 submit to EPA a draft application for Final Authorization. In an effort to avoid duplicative work by processing applications for Interim and Final Authorization simultaneously, and to allow sufficient time to fully promulgate the necessary regulations, the Commonwealth has elected to devote its attention entirely to applying for Final Authorization.

Pennsylvania has committed to the following schedule for applying for Final Authorization:

- April 1984—Promulgation of financial responsibility regulations and conforming regulatory amendments.
- May 1984—Hold State public hearing on Final Authorization application.
- June 1984—Submit official Final Authorization application.

Decision

In consideration of the above schedule and Pennsylvania's continued efforts to promulgate RCRA equivalent regulations necessary to obtain Final Authorization, the immediate reversion of Phase I Interim Authorization because of failure to meet the previous deadline, is not in the best interest of the Commonwealth, this Agency, the regulated community, or the citizens of Pennsylvania. I, therefore, find good cause to grant the Commonwealth's request for a further extension beyond the February 26, 1984 deadline previously granted. In order to allow for any unforeseen delays in either the promulgation of the conforming regulatory amendments or the EPA review and approval of the official Final Authorization application, I will allow an extension of Pennsylvania's Phase I approved program until the Commonwealth either receives Final Authorization or until January 26, 1985, whichever is earlier. If the Commonwealth fails to receive Final Authorization by January 26, 1985, the EPA approved State program will terminate automatically and administration of the RCRA hazardous waste management program will revert to EPA.

Compliance With Executive Order 12291

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

Certification Under the Regulatory Flexibility Act

Pursuant to the provisions of 5 U.S.C. 605(b), I hereby certify that this extension will not have a significant economic impact on a substantial number of small entities. The extension effectively suspends the applicability of certain Federal regulations in favor of Pennsylvania's program, thereby eliminating duplicative requirements for handlers of hazardous waste in the Commonwealth. It does not impose any new burdens on small entities. This rule, therefore, does not require a regulatory flexibility analysis.

List of Subjects in 40 CFR Part 271

Hazardous materials, Indian lands, Reporting and recordkeeping requirements, Waste treatment and disposal, Intergovernmental relations, Penalties, Confidential business information.

Authority: This notice is issued under the authority of Sections 2002(a), 3006, and 7004(b) of the Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act of 1976, as amended, 42 U.S.C. 6912(a), 6926 and 6974(b).

Dated: February 17, 1984.

Stanley L. Laskowski,
Acting Regional Administrator.

[FR Doc. 84-5071 Filed 2-27-84; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

42 CFR Part 21

Involuntary Child and Spousal Support Allotments

AGENCY: Office of the Secretary, HHS.

ACTION: Final rule.

SUMMARY: This rule implements section 172 of the Tax Equity and Fiscal Responsibility Act of 1982 (Pub. L. 97-248). The rule provides specific guidance to States, courts, and the Public Health Service on processing involuntary child or child and spousal support allotments. The provisions of these regulations apply only to PHS commissioned officers. The issuance: (a) Establishes Department of Health and Human Services policy; (b) provides instructions on the service of notice; (c) defines the limitations on the amount of a support allotment; (d) prescribes procedures for officer notification and consultation; and (e) lists the designated officials within the Department of Health and Human

Services who will process involuntary support allotments.

There are no substantive differences between the proposed rule and the final rule.

EFFECTIVE DATE: February 28, 1984.

ADDRESS: Office of the Assistant Secretary for Health, Office of Management, Office of Personnel Management, Commissioned Personnel Operations Division, 5600 Fishers Lane, Rockville, Maryland 20857.

FOR FURTHER INFORMATION CONTACT: Betty T. Glassman, 301-443-2626.

SUPPLEMENTARY INFORMATION:

Regulatory Impact Analysis

The Department has determined that this rule is not a major rule under Executive Order 12291. Therefore a regulatory impact analysis is not required. Additionally, we certify that these regulations will not have a significant economic impact on a substantial number of small entities because they affect only individuals. Therefore, a regulatory flexibility analysis as provided in Pub. L. 96-354, the Regulatory Flexibility Act, is not required.

Information Collection Requirements

The information collection requirements contained in these final regulations have been approved by the Office of Management and Budget under section 3507 of the Paperwork Reduction Act of 1980 and assigned a control number as follows: Section 21.75—OMB control number 0937-0123.

On July 11, 1983, a Notice of Proposed Rulemaking was published in the *Federal Register* (48 FR 31669-31672) with a comment period of 30 days. No public comments were received. Therefore, the NPRM is being adopted without change.

List of Subjects in 42 CFR Part 21

Government employees, Definitions, Appointment.

For the reasons set out in the Summary, 42 CFR Part 21 is amended by adding a new Subpart C, reading as follows:

PART 21—[AMENDED]

Subpart C—Involuntary Child and Spousal Support Allotments

Sec.

- 21.70 Purpose.
- 21.71 Applicability and scope.
- 21.72 Definitions.
- 21.73 Policy.
- 21.74 Responsibilities.
- 21.75 Procedures.

Authorities: 37 U.S.C. 101, 15 U.S.C. 1673, 42 U.S.C. 665.