

Manufacturing Industry (SOCMI). The Massachusetts Department of Environmental Quality Engineering has certified by letters, dated June 26, 1985 and August 13, 1985, that no sources in these categories are located within the State. EPA is accepting the DEQE's certification and codifying the information at 40 CFR 52.1168.

EPA is codifying this information without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. This action will be effective 60 days from the date of this Federal Register unless, within 30 days of its publication, notice is received that adverse or critical comments will be submitted. If such notice is received, this action will be withdrawn before the effective date by publishing two subsequent notices. One notice will withdraw the final action and another will begin a new rulemaking by announcing a proposal of the action and establishing a comment period. If no such comments are received, the public is advised that this action will be effective 60 days from today.

Final action: EPA is codifying at 40 CFR 52.1168, certifications that no Natural Gas/Gasoline Processing Plant and SOCMI Air Oxidation sources are located in the Commonwealth of Massachusetts.

Under 5 U.S.C. 605(b), I certify that this SIP revision will not have a significant economic impact on a substantial number of small entities (see 46 FR 8709).

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

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)).

List of Subjects in 40 CFR Part 52

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

Dated: November 8, 1985.

Lee M. Thomas,
Administrator.

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

PART 52—[AMENDED]

Subpart W—Massachusetts

1. The authority citation for Part 52 continues to read as follows:

Authority: 42 U.S.C. 7401-7642.

2. Part 52 is amended by revising § 52.1168 to read as follows:

§ 52.1168 Certification of no sources

On June 26, 1985 and August 13, 1985, Bruce K. Maillet, Acting Director, Division of Air Quality Control, Department of Environmental Quality Engineering, submitted a certification that the Commonwealth of Massachusetts has no sources within the State which are covered by the following Control Technique Guidelines:

(a) Natural Gas/Gasoline Processing Plants.

(b) Air Oxidation Processes in the Synthetic Organic Chemical Manufacturing Industry.

[FR Doc. 85-27681 Filed 11-19-85; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 60

[A-3-FRL-2924-1; Docket No. AM700DC]

Air Pollution; New Source Performance Standards Delegation of Authority to the District of Columbia, Department of Consumer and Regulatory Affairs

AGENCY: Environmental Protection Agency.

ACTION: Delegation of Authority.

SUMMARY: Section 111(c) of the Clean Air Act permits EPA to delegate to the States the authority to implement and enforce the standards set out in 40 CFR Part 60, Standards of Performance for New Stationary Sources (NSPS).

The Mayor of the District of Columbia requested EPA to delegate, to the District of Columbia's Department of Consumer and Regulatory Affairs (DCRA), the authority to implement and enforce the NSPS in the District. EPA granted the request on September 5, 1985. The District now has the authority to implement and enforce NSPS regulations for: Fossil Fuel Fired Steam Generators built after August 17, 1971 (Subpart D), Incinerators (Subpart E), Asphalt Concrete Plants (Subpart I), Sewage Treatment Plants (Subpart O), Electric Steam Generating Units built after September 18, 1978 (Subpart Da), Stationary Gas Turbines (Subpart GG), and Storage Vessels for Petroleum Liquids built after May 18, 1973 (Subpart Ka).

The District will enforce all the above subparts as set forth in 40 CFR Part 60, July 1, 1982 edition.

EFFECTIVE DATE: July 5, 1985.

ADDRESS: Applications and reports required under all NSPS source categories to which EPA has delegated the authority to the District of Columbia DCRA to implement and enforce should be addressed to the District of Columbia, Department of Consumer and Regulatory Affairs, 5000 Overlook Avenue SW., Washington, DC 20032, in addition to EPA, Region III.

Copies of the delegation and accompanying documents are available for inspection during normal business hours at the District of Columbia DCRA address given above or at the following office: U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107, Attn: Patricia Gaughan (3AM11), Telephone: (215) 597-8239.

FOR FURTHER INFORMATION CONTACT: Michael Giuranna of EPA, Region III's Air Programs Branch, at (215) 597-9189.

SUPPLEMENTARY INFORMATION: In a letter of June 21, 1985 to EPA, the Mayor of the District of Columbia requested delegation of the authority to implement and enforce the New Source Performance Standards as set forth in 40 CFR Part 60, July 1, 1982 edition. EPA reviewed the request and decided to approve it since: (1) None of the seven applicable NSPS source categories had been significantly revised since the July 1, 1982 edition of the CFR had been published, and (2) the District was determined to have the necessary resources to effectively implement and enforce the NSPS.

Therefore, on September 5, 1985, the following letter delegating authority to implement and enforce NSPS, was sent to the Mayor of the District of Columbia:

Honorable Marion Barry Jr.,
Mayor, District of Columbia, District
Building, 1350 Pennsylvania Avenue
N.W., Washington, DC 20004.

Dear Mayor Barry: This is in response to your letter of June 21, 1985, to James M. Seif, Regional Administrator, requesting delegation of authority for implementation and enforcement of existing New Source Performance Standards (NSPS).

We have reviewed the pertinent laws and regulations of the District of Columbia's Department of Consumer and Regulatory Affairs (DCRA) and have determined that the DCRA has the resources to implement and enforce the NSPS program. Therefore, subject to the specific conditions and exceptions set forth below, the U.S. Environmental Protection Agency (EPA) hereby grants delegation of authority to the DCRA to implement and enforce the NSPS as follows:

Authority for all sources located or to be located in the District of Columbia subject to the NSPS promulgated in 40 CFR Part 60, July 1, 1982 edition.

This delegation is based upon the following conditions and exceptions.

1. This delegation replaces the Memorandum of Understanding between EPA and the DCRA of September 30, 1982.

2. Certain provisions of the NSPS regulations allow only the Administrator to take further standard setting actions. Such provisions cannot be delegated and are as follows:

a. Alternative means of emission limitations in the Clean Air Act Section 111(b)(3) which is codified in 40 CFR 60.11a and 60.484.

b. Innovative technology waivers in the Clean Air Act Section 111(j).

c. Alternative testing times for Primary Aluminum Reduction Plants in 40 CFR 60.195(b).

d. Approval of equivalent and alternate test methods in 40 CFR 60.8(b) (2) and (3).

e. Establishment of alternate opacity standards in 40 CFR 60.11(e).

f. Issuance of commercial demonstration permits under 40 CFR 60.45a.

g. The portions of the Stationary Gas Turbine Standards dealing with nitrogen fuel allowance in 40 CFR 60.332(a)(3) and the ambient condition correction factors in 40 CFR 60.335(a)(ii).

h. The authority to make applicability determinations pertaining to sources subject to the NSPS. The DCRA may refer to the Compendium of Applicability determinations issued by EPA annually, and updated quarterly. Any applicability determinations not explicitly treated in the EPA Compendium must be referred to EPA for determination. Also, any correspondence from the DCRA based on the Compendium must be sent to EPA to maintain National consistency.

3. The following provisions are included in this delegation and can only be exercised on a case-by-case basis. When any of these authorities are exercised, the DCRA must notify EPA, Region III in accordance with the reporting procedures referred to in item 6 of the conditions and exceptions:

a. Waiver of a performance test in accordance with 40 CFR 60.8(b)(4) or make minor modifications in accordance with 40 CFR 60.8(b)(1).

b. Determination of representative conditions for the purpose of conducting a performance test as allowed by 40 CFR 60.8(c).

c. Approval of shorter sampling times or smaller sampling volumes under 40 CFR 60.4(b) or (d).

4. Enforcement of the NSPS regulations in the District of Columbia will be the primary responsibility of the DCRA. Pursuant to Section 111(c)(2) of the Clean Air Act, 42 U.S.C. 7411(c)(2), EPA retains authority to enforce any NSPS standard whenever such enforcement is deemed by the EPA to be necessary to carry out the purposes of the Clean Air Act. Where the DCRA determines that such enforcement is not feasible and so notifies EPA, or where the DCRA acts in a manner inconsistent with the terms of this

delegation, EPA will exercise its concurrent enforcement authority, pursuant to Section 113 of the Clean Air Act, as amended, with respect to sources within the District of Columbia subject to NSPS regulations.

5. The DCRA will not grant a variance for compliance with the applicable NSPS regulations if such variance delays compliance with the Federal Standards (40 CFR Part 60). Should the DCRA grant such a variance, EPA will consider the source receiving the variance to be in violation of the applicable Federal regulations and may initiate enforcement action against the source pursuant to Section 113 of the Clean Air Act. The granting of such variances by the DCRA shall also constitute grounds for revocation of delegation by EPA.

6. The DCRA and EPA Region III will develop a system of communication sufficient to guarantee that each office is always fully informed regarding the interpretation of applicable regulations. In instances where there is a conflict between a DCRA interpretation and a Federal interpretation of applicable regulations, the Federal interpretation must be applied if it is more stringent than that of the DCRA. This system of communication will insure that both agencies are informed on (a) the current compliance status of subject sources in the District of Columbia (b) the interpretation of applicable regulations; (c) the description of sources and source inventory data; and, (d) compliance test waivers and approvals listed in item 3 of the conditions and exceptions. The reporting provisions in 40 CFR 60.4 requiring sources to make submissions to the EPA are met by sending such submission to the DCRA, in addition to EPA Region III.

7. If at any time there is a conflict between a DCRA regulation and a Federal regulation, 40 CFR Part 60, the Federal regulation must be applied if it is more stringent than that of the DCRA. If the DCRA does not have the authority to enforce the more stringent Federal regulations, they shall notify EPA in writing as soon as possible, so that this portion of the delegation may be revoked.

8. The DCRA will utilize the methods in 40 CFR Part 60 in performing source tests pursuant to this regulation.

9. From time to time when appropriate, the DCRA will revise its NSPS regulations to include the provisions of Federal amendments and newly promulgated regulations for NSPS pollutant source categories.

10. If the Director of the Air Management Division, or equivalent, determines that a DCRA program for enforcing or implementing the NSPS regulations is inadequate, or is not being effectively carried out, this delegation may be revoked in whole or in part. Any such revocation shall be effective as of the date specified in a Notice of Revocation to the DCRA.

A notice announcing this delegation will be published in the *Federal Register* in the near future. The notice will state, among other things, that effective immediately, all reports required pursuant to the above-referenced NSPS regulations by sources located in the District of Columbia will be submitted to the DCRA in addition to EPA, Region III. Any original reports which have been or may be

received by EPA Region III will be promptly transmitted to the DCRA.

Since this delegation is effective immediately, there is no requirement that the DCRA notify EPA of its acceptance. Unless EPA receives from the DCRA written notice of objections within ten (10) days of receipt of this letter, the DCRA will be deemed to have accepted all of the terms of the delegation.

Sincerely,

W. Ray Cunningham,

Director, Air Management Division.

Effective immediately all applications, reports, and other correspondence required under the NSPS for Fossil Fuel Fired Steam Generators built after August 17, 1971 (D), Incinerators (E), Asphalt Concrete Plants (I), Sewage Treatment Plants (O), Electric Steam Generating Units built after September 18, 1978 (Da), Stationary Gas Turbines (GG), and Storage Vessels for Petroleum Liquids built after May 18, 1973 (Ka) should be sent to the District of Columbia DCRA (address above) in addition to the EPA, Region III Office in Philadelphia.

This action delegates only the NSPS source categories mentioned above to the District of Columbia. A new request for delegation will be required for any NSPS standard not mentioned above.

List of Subjects in 40 CFR Part 60

Air pollution control, Sewage disposal, Petroleum, Electric power plants, Paving and roofing material.

Dated: October 21, 1985.

Stanley L. Laskowski,

Acting Regional Administrator.

PART 60—STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES

Part 60 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

1. The authority citation for Part 60 continues to read as follows:

Authority: 42 U.S.C. 74(c).

2. In § 60.4, Paragraph (b) is amended by adding paragraph (j) to read as follows:

§ 60.4 Address.

(j) District of Columbia, Department of Consumer and Regulatory Affairs, 5000 Overlook Avenue SW., Washington, DC 20032.

[FR Doc. 85-27193 Filed 11-19-85; 8:45 am]

BILLING CODE 5590-50-M

40 CFR Part 62

[A-3-FRL-2920-4; EPA Docket Nos. AM203PA, AM204PA]

Approval of State Plans for Designated Facilities and Pollutants

AGENCY: Environmental Protection Agency.

ACTION: Final rulemaking.

SUMMARY: Regulations promulgated under the provisions of section 111(d) of the Clean Air Act, as amended, require States to submit plans to control emissions of "Designated Pollutants" from "Designated Facilities." If no "Designated Facility" exists within a State, that State is required to submit a letter (which is called a negative declaration) to EPA. Allegheny County, Pennsylvania has submitted a negative declaration to EPA certifying that there are no existing kraft pulp mills in the County subject to the requirements of Subpart B of 40 CFR Part 60.

The City of Philadelphia has certified that there are no kraft pulp mills, sulfuric acid plants, or phosphate fertilizer plants existing in the City subject to the same requirements.

Therefore, EPA approves these negative declarations and is publishing them as rules under Part 62 of the Code of Federal Regulations.

DATES: This action will be effective January 21, 1986 unless adverse or critical comments are received within 30 days.

ADDRESSES: Comments may be submitted to Glenn Hanson, Chief, PA/WV Section at the EPA, Region III address listed below. Copies of the documents relevant to this action are available for public inspection during normal business hours at the following locations:

U.S. Environmental Protection Agency,
Region III, Air Programs Branch, 841
Chestnut Building, Philadelphia, PA 19107.
Attn: Patricia Gaughan
Allegheny County Bureau of Air Pollution
Control, 301 Thirty-Ninth Street, Pittsburgh,
PA 15201. Attn: Ronald J. Chleboski
City of Philadelphia Air Management
Services, 500 S. Broad Street, Philadelphia,
PA 19146. Attn: William Reilly

FOR FURTHER INFORMATION CONTACT:
Michael Giuranna (3AM11), PA/WV
Section at the EPA, Region III address
above, or telephone (215) 597-9189.

SUPPLEMENTARY INFORMATION: 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 to control emissions of "designated pollutants" from "designated facilities." EPA is

responsible for designating the facilities and pollutants for which States must develop plans. The pollutants which have been designated for control under section 111(d) are not those for which ambient air quality standards have been established under section 109 of the Act (referred to as "criteria" pollutants) nor are they listed as hazardous pollutants under section 112. Section 111(d) requires control of certain pollutants at existing sources whenever standards of performance have been established under section 111(b) for those pollutants from new sources of the same type.

EPA's actions in determining approval, disapproval, and promulgation of State plans must be made public. 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); in August, 1979, for Control of Fluoride Emissions (EPA-450/2-78-049b); and in March, 1979, for Control of Total Reduced Sulfur (TRS) Emissions (EPA-450/2-78-003b). State plans were required by October 31, 1978 for the control of sulfuric acid mist from sulfuric acid production plants, by February 22, 1980 for the control of TRS emissions from existing kraft pulp mills, and by December 1, 1977 for fluoride emissions from phosphate fertilizer plants. In the event a State does not have a particular "designated facility" located in that State, a letter must be submitted indicating this to EPA. These letters are called "negative declarations."

The City of Philadelphia submitted negative declarations to the EPA, Region III office advising that there are no existing sulfuric acid production plants, no existing kraft pulp mills and no existing phosphate fertilizer plants subject to the requirements of Subpart B of 40 CFR Part 60 in the City. The Allegheny County, Pennsylvania Bureau of Air Pollution Control has certified that there are no facilities which must be regulated under the guidelines for the control of kraft pulp mills.

By submitting negative declarations as stated above, Pennsylvania has fulfilled its responsibility for submitting State plans for control of designated pollutants from existing facilities as required by 40 CFR 60.23, in the source categories specified, for the areas specified.

The Administrator has decided to approve these negative declarations under Subparts NN and XX since the submittals meet the requirements of section 111(d) of the Clean Air Act and 40 CFR Part 60, Subpart B, "Adoption and Submittal of State Plans for designated facilities."

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. section 605(b), I certify that this action will not have a significant economic impact on a substantial number of small entities.

This action becomes a final rule sixty days after publication of this notice unless adverse or critical comments are received within 30 days. In the event that such comments are timely received, the rule can become final only after publication as a final rule following EPA's consideration of such comments.

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 January 21, 1986. This action may not be challenged later in proceedings to enforce its requirements (See 307(b)(2)).

List of Subjects in 40 CFR Part 62

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

Dated: October 31, 1985.

Lee M. Thomas,
Administrator.

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

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

Subpart NN—Pennsylvania

1. The authority citation for Part 62 continues to read as follows:

Authority: 42 U.S.C. 7401-7642.

2. Section 62.9600 is amended by adding paragraph (c) as follows:

Fluoride Emissions From Phosphate Fertilizer Plants

§ 62.9600 Identification of Plan—Negative Declaration.

(c) The City of Philadelphia Air Management Services submitted on February 22, 1985, a letter certifying that there are no existing phosphate fertilizer plants in the City subject to Part 60, Subpart B of this chapter.

3. Section 62.9601 is amended by adding paragraph (c) as follows:

Sulfuric Acid Mist Emissions From Existing Sulfuric Acid Plants

§ 62.9601 Identification of plan.

(c) The City of Philadelphia Air Management Services submitted, on February 22, 1985, a letter certifying that there are no existing sulfuric acid plants in the City subject to Part 60, Subpart B of this chapter.

4. Section 62.9610 is added as follows:

Total Reduced Sulfur Emissions From Existing Kraft Pulp Mills

§ 62.9610 Identification of plan—negative declaration.

(a) The Allegheny County Bureau of Air Pollution Control submitted a letter on February 14, 1985, certifying that there are no kraft pulp mills in the County subject to Part 60, Subpart B of this chapter.

(b) The City of Philadelphia Air Management Services submitted a letter on February 22, 1985, certifying that there are no kraft pulp mills in the City subject to Part 60, Subpart B of this chapter.

[FR Doc. 85-27386 Filed 11-19-85; 8:45 am]

BILLING CODE 5560-50-M

40 CFR Part 81

[A-9-FRL-2921-2]

Designation of Areas for Air Quality Planning Purposes; Redesignation To Attainment for Carbon Monoxide of a Portion of the Fresno-Clovis Metropolitan Area, California

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: Today's notice approves the redesignation to attainment for carbon monoxide of the portion of the Fresno-Clovis Metropolitan Area in California outside of the Fresno Urbanized Area. EPA is taking this action since the area has no violations for carbon monoxide and satisfied the other redesignation criteria. The intended effect is to update the attainment status for carbon monoxide.

DATE: This action will be effective on January 21, 1986, unless notice is received within 30 days that someone wishes to submit adverse or critical comments. Such notice may be submitted to James C. Breitlow at the EPA Regional Office address listed below.

ADDRESSES: Copies of EPA's technical support document for this action are

available for public inspection during normal business hours at the EPA Region 9 office in San Francisco.

FOR FURTHER INFORMATION CONTACT: James C. Breitlow, Chief, State Implementation Plan Section, Air Management Division, Environmental Protection Agency, Region 9, 215 Fremont Street, San Francisco, CA 94105, (415) 974-7641 FTS: 454-7641.

SUPPLEMENTARY INFORMATION:

Background

At the request of the State of California, EPA promulgated attainment status designations for all of California and designated Fresno County as a nonattainment area for carbon monoxide on March 3, 1978 (43 FR 8970). EPA redesignated Fresno County, except for the Fresno-Clovis Metropolitan Area, to attainment for carbon monoxide on August 11, 1980 (45 FR 53147). The State of California submitted a request to redesignate a portion of the Fresno-Clovis Metropolitan Area to attainment on April 9, 1985. The remaining portion of the Fresno-Clovis Metropolitan Area, termed the Fresno Urbanized Area was requested to be retained as a nonattainment area.

The proposed boundary between the Fresno Urbanized Area and the Fresno-Clovis Metropolitan Area is as follows:

1. Beginning at the point where State Route 99 (SR 99) intersects the boundary of Fresno and Madera Counties;
2. thence easterly along the boundary of Fresno and Madera Counties to its intersection with State Route 41 (SR 41);
3. thence southerly along SR 41 to its intersection with East Audubon Drive;
4. thence easterly along East Audubon Drive to its intersection with the Friant Expressway;
5. thence northeasterly along the Friant Expressway to its intersection with Old Friant Road;
6. thence easterly along Copper Avenue to its intersection with North Maple Avenue;
7. thence southerly along North Maple Avenue to its intersection with East Herndon Avenue;
8. thence easterly along East Herndon Avenue to its intersection with North Temperance Avenue;
9. thence southerly along North Temperance Avenue to its intersection with East Ashlan Avenue;
10. thence easterly along East Ashlan Avenue to its intersection with North Locan Avenue;
11. thence southerly along North Locan Avenue to its intersection with East Shields Avenue;
12. thence westerly along East Shields Avenue to its intersection with North Temperance Avenue;
13. thence southerly along North Temperance Avenue and its continuance

South Temperance Avenue to its intersection with East North Avenue;

14. thence westerly along East North Avenue to its intersection with South Willow Avenue;

15. thence southerly along South Willow Avenue to its intersection with East Central Avenue;

16. thence westerly along East Central Avenue to its intersection with South Cedar Avenue;

17. thence northerly along South Cedar Avenue to its intersection with East North Avenue;

18. thence westerly along East North Avenue and its continuance West North Avenue to its intersection with Cornelia Avenue;

19. thence northerly along Cornelia Avenue and its continuance North Cornelia Avenue to its intersection with West Ashlan Avenue;

20. thence westerly along West Ashlan Avenue to its intersection with North Polk Avenue;

21. thence northerly along North Polk Avenue to its intersection with West Shaw Avenue;

22. thence easterly along West Shaw Avenue to its intersection with SR 99;

23. thence northwesterly along SR 99 to its intersection with the Fresno and Madera County boundary, the point of beginning.

There are several criteria concerning redesignation of a nonattainment area to attainment for carbon monoxide based on EPA policy.

First, in general, the attainment area cannot have had a measured or modeled violation during the most recent two years.

Second, there is a minimum size criterion for redesignation of a portion of a nonattainment area. The urban core area is the minimum size nonattainment area allowable.

This core area can be either: (a) An urbanized area in the nonattainment area, as defined by the U.S. Bureau of the Census, which contributes significantly to measured or modeled violations, or (b) the commercial and residential areas near the measured or modeled violations, if an urbanized area does not exist.

Third, when there is an absence of data and few sources are located in the rural area outside the urban core, EPA does not expect these sources to contribute to measured hot spot violations within the urban core or to cause violations in their immediate areas. In such cases, Regional policy allows redesignation to attainment/unclassified without further data.

Evaluation

EPA finds that the redesignation of that area outside of the Fresno Urbanized Area to attainment for

carbon monoxide complies with applicable criteria based on these considerations:

(a) A temporary special purpose monitoring site recorded no violations in an expected high concentration area downwind during four months in 1983.

(b) the proposed attainment area is not a part of a U.S. Bureau of Census contiguous urbanized area.

(c) the rural nature of the area leads EPA to believe that no violation has or would occur, and

(d) sources in the area do not contribute significantly to measured or modeled violation in the urban core.

EPA is publishing this action without prior proposal because the Agency views this as a noncontroversial action and anticipates no adverse comments. This action will be effective 60 days from the date of this **Federal Register** unless, within 30 days of its publication, notice is received that adverse or critical comments will be submitted.

If such notice is received, this action will be withdrawn before the effective date by publishing two subsequent notices. One notice will withdraw the final action and another will begin a new rulemaking by announcing a proposal of the action and establishing a comment period. If no such comments are received the public is advised that this action will be effective January 21, 1986.

Final Action

EPA approves the redesignation since the proposed attainment area has satisfied EPA policy and section 107 of the Clean Air Act.

Regulatory Process

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

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 January 21, 1986. This action may not be challenged later in proceedings to enforce its requirements (See 307(b)(2)).

Under 5 U.S.C. 605(b), I certify that this action will not have a significant economic impact on a substantial number of small entities. (See 46 FR 8704).

List of Subjects in 40 CFR Part 81

Air pollution control. National parks, Wilderness areas.

Dated: October 30, 1985.

Lee M. Thomas,
Administrator.

PART 81—[AMENDED]

Part 81 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

Subpart C—Section 107 Attainment Status Designations

1. The authority citation for Part 81 continues to read as follows:

CALIFORNIA—CO

Designated area	Does not meet primary standards	Cannot be classified or better than national standards
San Joaquin Valley Air Basin (SJVAB):		
Fresno County:		
(within Fresno Urbanized Area ¹)	X	
Fresno County:		
(outside Fresno Urbanized Area ¹)		X

¹ For a description of Fresno Urbanized Area, please see publication date.

[FR Doc. 85-26813 Filed 11-19-85; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 271

[SW-9-FRL-2926-3]

Arizona; Final Authorization of State Hazardous Waste Management Program

AGENCY: Environmental Protection Agency.

ACTION: Notice of final determination on Arizona's application for final authorization.

SUMMARY: The State of Arizona has applied for final authorization under the Resource Conservation and Recovery Act (RCRA). EPA has reviewed Arizona's application and has reached a final determination that Arizona's hazardous waste program satisfies all of the requirements necessary to qualify for final authorization. Thus, EPA is granting final authorization to the State to operate its program, in lieu of the federal hazardous waste program in its jurisdiction, subject to the limitations imposed by the Hazardous and Solid Waste Amendments of 1984 (Pub. L. 98-616, November 8, 1984) (HSWA).

EFFECTIVE DATE: Final Authorization for Arizona shall be effective at 1:00 p.m. on December 4, 1985.

FOR FURTHER INFORMATION CONTACT: Philip Bobel, Chief, Waste Programs Branch, U.S. EPA Region 9, 215 Fremont

Authority: 42 U.S.C. 7401-7642.

2. In § 81.305 the attainment status designation table for carbon monoxide is amended by revising the entries for "Fresno County", under the "San Joaquin Valley Air Basin (SJVAB)" to read as follows:

§ 81.305 California.

Street, San Francisco, CA 94105 (415) 974-8119 (FTS: 454-8119).

SUPPLEMENTARY INFORMATION:

I. Background

Section 3006 of the Resource Conservation and Recovery Act (RCRA) allows EPA to authorize State hazardous waste programs to operate in the State in lieu of the Federal hazardous waste program. To qualify for final authorization, a State's program must (1) be "equivalent" to the Federal program, (2) be consistent with the Federal program and other State programs, and (3) provide for adequate enforcement (Section 3006(b) of RCRA, 42 U.S.C. 6926(b)).

On October 31, 1984, Arizona submitted a complete application for final authorization. On March 20, 1985, EPA published a tentative decision announcing its intent to grant Arizona final authorization. Further background information on EPA's tentative decision to grant final authorization appears at 50 FR 11186, March 20, 1985.

In addition to announcing its tentative determination, EPA announced the availability of the application for public comment and the dates of public hearings on the application. The public hearings were held in Phoenix on April 18, 1985 and Tucson on April 19, 1985.

II. Response to Public Comments

On March 20, 1985, (50 FR 11186), a notice was published in the **Federal Register** inviting the public to offer