§ 721. [Corrected]

4. On page 9007, column 2, in § 721.14(b), delete the second "Report of" in line 12.

§ 721.15 [Corrected]

5. On page 9009, column 1, in § 721.15(b)(3)(iv), line 1, the words "of this statute" should be inserted between "(c)" and "further."

§ 721.16 [Corrected]

6. On page 9010, column 2, in § 721.16(c), line 9, the last word should be "in" rather than "is."

7. On page 9010, column 3, in § 721.16(e)(6), line 9, delete the words "rate of" between "basic" and "pay."

8. On page 9012, column 2, in § 721.16(k)(1), line 7, a comma should be inserted after "(i)(2)," and another comma should be inserted after "(i)(3)."

9. On page 9014, column 1, in § 721.16(s), the first line at the top of the page, the third word should be spelled "Government" rather than "Govenment."

§ 721.17 [Corrected]

10. In § 721.17 on page 9014, column 2, line 44, the paragraph designation "(e)" should replace the paragraph designation "(3)."

11. On page 9014, column 3, in the introductory text of § 721.17(h), line 1, "The" should replace "This."

Dated: April 16, 1985.

Lt. W.F. Roos, Jr.,

JAGC, USNR, Federal Register Liaison Officer.

[FR Doc. 85-9745 Filed 4-22-85; 8:45 am]

BILLING CODE 3810-AE-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[TN-021; A-4-FRL-2823-7]

Approval and Promulgation of Implementation Plans; Tennessee: Approval of Two Visible Emission Evaluation Methods

AGENCY: Environmental Protection Agency.

ACTION: Final action.

SUMMARY: On September 26, 1984, the State of Tennessee submitted two Tennessee Visible Emission Evaluation (TVEE) methods for EPA review, which were adopted by the Tennessee Air Pollution Control Board, and became State-effective, on August 24, 1984. These methods have been evaluated and found to be in conformance with EPA policy. This notice proposes to approve these methods and incorporate them into the State Implementation Plan (SIP) for Tennessee. The intended effect of these methods is to enable more precise and accurate determinations of visible emissions.

EFFECTIVE DATE: This action will be effective on June 24, 1985 unless notice is received within 30 days that someone wishes to submit adverse or critical comments.

ADDRESSES: Written comments should be addressed to Kelly McCarty of EPA Region IV's Air Management Branch (see EPA Region IV address below). Copies of the materials submitted by Tennessee may be examined during normal business hours at the following locations:

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

Division of Air Pollution Control, Tennessee Department of Health and Environment, 150 9th Avenue, North, Nashville, Tennessee 37203

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

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

FOR FURTHER INFORMATION CONTACT: Ms. Kelly McCarty, Air Management Branch, EPA Region IV, at the above address, and phone 404/881-3286, or FTS 257-3286.

SUPPLEMENTARY INFORMATION: Measuring the opacity of a plume of smoke from a specific source is one way of determining whether or not that source is in compliance with the applicable Total Suspended Particulate (TSP) regulations. The two TVEE methods which are today approved by EPA are used to determine exactly how a person should read the opacity of the plumes from certain sources. The opacity is "read" by comparing the opaqueness of the plume with a set of standards and then stating the opacity in terms of percent.

These two methods each include: applicability; a procedure for determining violations, along with the observational error allowed; rules of certification for the observer; and the data reduction methods.

TVEE Method 1—Visual Determination of Opacity of Emissions from Nontraditional Sources. This method is used to determine opacity from sources which are considered "nontraditional", i.e., roads and parking lots, which are not addressed in any other method for opacity determinations. This method was revised for the following reasons:

- The distance required between the opacity reader and the plume of smoke was not previously specified. This revision changes the distance from "sufficient" to "15 feet".
- A certification procedure for the opacity reader was not previously specified. This revision includes a certification procedure.
- An observational error of 10% was allowed before issuance of a Notice of Violation (NOV). This was felt to be too large and so was reduced to 8.8%.

TVEE Method 2—Visual Determination of Opacity for Aggregate Count Visible Emission Standards. This is a new method for documenting violations of the regulations for opacity limits. EPA Method 9 is the standard method for determining violations of opacity limits, but it is written in terms of 6-minute averages, rather than the aggregate, as is specified in the SIP. Method 9 requires readings to be taken every 15 seconds for 6 minutes, and then the readings are averaged to determine a 6-minute average. If this average is over the opacity limit, then the source is out of compliance, and may be issued an NOV; otherwise, the source is in compliance. Occasionally, a source will run intermittently, for less than 6 minutes (i.e., 4 minutes every half hour). Using Method 9, this source could greatly exceed the opacity limit for the time it runs, and be zero for the rest of the 6 minutes, and still be under the opacity limit after averaging. The SIP addresses this loophole and specifies opacity limits and the number of exceedances allowable in any 1- or 24-hour period; however, prior to adoption of this new method, there was no method for determining if a source was in violation of the limits specified in the SIP. This method addresses that oversight.

Final Action. EPA has reviewed these revisions to the Tennessee SIP and is approving them as submitted. This action is taken without prior proposal because the changes are non-controversial and EPA anticipates no comments on them. The public should be advised that this action will be effective 60 days from the date of this **Federal Register** notice. 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 the final action, and the other will begin a new rulemaking by announcing a proposal of

the action and establishing a comment period.

Under section 307(b)(1) of the Clean Air 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 date of action. 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 SIP approvals do not have a significant economic impact on a substantial number of small entities. (see 46 FR 8709.)

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

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

List of Subjects in 40 CFR Part 52

Air pollution control, Intergovernmental relations, Particulate matter, Incorporation by reference.

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

Dated: April 17, 1985.

Lee M. Thomas,

Administrator.

PART 52—[AMENDED]

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

Subpart RR—Tennessee

Section 52.2220 is amended by adding paragraph (c)(64) as follows:

§ 52.2220 Identification of plan.

* * * * *

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

* * * * *

(64) Changes in visible emission evaluation methods, submitted on September 26, 1984, by the Tennessee Department of Health and Environment.

[FR Doc. 85-9717 Filed 4-22-85; 8:45 am]

BILLING CODE 6560-50-M

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40 CFR Part 60

[AD-FRL 2797-3]

Standards of Performance for New Stationary Sources; Appendix A—Reference Methods; Nitrogen Oxide Emissions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This action is to promulgate "Method 7B, Determination of Nitrogen Oxide Emissions from Stationary Sources Ultraviolet Spectrophotometric Method," which is to be added to Appendix A of 40 CFR Part 60.

The intended effect is to allow nitric acid plants, subject to standards of performance (Subpart G), to use Method 7B as an alternative method. It offers improvements over Method 7 in that the sample analytical time is shortened and precision is improved.

EFFECTIVE DATE: April 23, 1985.

Under section 307(b)(1) of the Clean Air Act, judicial review of this new source performance standard is available *only* by the filing of a petition for review in the U.S. Court of Appeals for the District of Columbia Circuit within 60 days of today's publication of this rule. Under section 307(b)(2) of the Clean Air Act, the requirements that are the subject of today's notice may not be challenged later in civil or criminal proceedings brought by EPA to enforce these requirements.

ADDRESS: *Docket.* Docket No. A-83-20, containing material relevant to this rulemaking, is available for public inspection and copying between 8:00 a.m. and 4:00 p.m., Monday through Friday, at EPA's Central Docket Section (LE-131), West Tower Lobby, Gallery 1, Waterside Mall, 401 M Street SW., Washington, D.C. 20460. A reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: Mr. Gary McAlister, Emission Measurement Branch (MD-19), Emission Standards and Engineering Division, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone number (919) 541-2237.

SUPPLEMENTARY INFORMATION: Method 7B has been proposed because it offers shorter analytical time and better precision than Method 7. This method is to be used as an alternative method and would apply to nitric acid plants only. This rulemaking would not impose any additional emission measurement requirements on any facilities. Rather, the rulemaking would simply add an alternative test method associated with emission measurement requirements that would apply irrespective of this rulemaking.

Public Participation

This test method was proposed and published in the **Federal Register** on August 3, 1983 (48 FR 35338). The opportunity to request a public hearing was presented to provide interested persons the opportunity for oral presentation of data, views, or arguments concerning the proposed test method, but no one wished to make an oral presentation.

The public comment period was from August 3, 1983, to October 8, 1983. One comment letter concerning the proposed test method was received. This commenter pointed out that the equation for calculating the spectrophotometer was applicable only when the calibration standards specified in the method were used. It was suggested that a general equation be included in the method for cases when different calibration standards were used. This change has been incorporated in the method.

Docket

The docket is an organized and complete file of all the information considered by EPA in the development of this rulemaking. The docket is a dynamic file, since material is added throughout the rulemaking development. The docketing system is intended to allow members of the public and industries involved to identify and locate documents readily so that they can intelligently and effectively participate in the rulemaking process. Along with the statement of the proposed and promulgated test method and EPA responses to significant comments, the contents of the docket will serve as the record in case of judicial review (Section 307(d)(7)(A)).

Miscellaneous

Under Executive Order 12291, EPA must judge whether a regulation is "major" and, therefore, subject to the requirement of a regulatory impact analysis. This regulation is not major because it will not have an annual effect on the economy of $100 million or more; it will not result in a major increase in costs or prices; and there will be no significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of U.S.-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Pursuant to the provisions of 5 U.S.C. 605(b), I hereby certify that the attached rule will not have any economic impact because it offers an alternative method. Any written comments from the Office of Management and Budget and any written EPA responses are available in the docket.

This proposed rulemaking is issued under the authority of sections 111, 114, and 301(a) of the Clean Air Act, as amended (42 U.S.C. 7411, 7414, and 7601(a)).

List of Subjects in 40 CFR Part 60

Air pollution control, Aluminum, Ammonium sulfate plants, Asphalt, Cement industry, Coal, Copper, Electric power plants, Glass and glass products, Grains, Intergovernmental relations, Iron, Lead, Metals, Metallic minerals, Motor vehicles, Nitric acid plants, Paper and paper products industry, Petroleum, Phosphate, Sewage disposal, Steel, Sulfuric acid plants, Waste treatment and disposal, Zinc, Tires, Can surface coating, Sulfuric acid plants, Industrial organic chemicals, Organic solvent cleaners, Fossil fuel-fired steam generators, Fiberglass insulation, Synthetic fibers, Lime.

Dated: April 8, 1985.

Lee M. Thomas,

Administrator.

PART 60—[AMENDED]

40 CFR Part 60 is amended as follows:

1. By revising § 60.73, paragraph (a) to read as follows:

§ 60.73 Emission Monitoring.

(a) A continuous monitoring system for the measurement of nitrogen oxides shall be installed, calibrated, maintained, and operated by the owner or operator. The pollutant gas used to prepare calibration gas mixtures under paragraph 2.1, Performance Specification 2 and for calibration checks under § 60.13(d) to this part shall be nitrogen dioxide (NO_2). The span shall be set at 500 ppm of NO_2. Method 7, 7A, 7B, 7C, or 7D shall be used for conducting monitoring system performance evaluations under § 60.13(c).

* * * * *

2. By revising § 60.74, paragraphs (a)(1) and (b) to read as follows:

§ 60.74 Test Methods and Procedures.

(a) * * *

(1) Method 7, 7A, 7B, 7C, or 7D for the concentration of NO_x;

* * * * *

(b) For Method 7, 7A, 7B, 7C, or 7D the sample site shall be selected according to Method 1 and the sampling point shall be the centroid of the stack or duct or at a point no closer to the walls than 1 m (3.28 ft). For Method 7, 7A, or 7B, each run shall consist of four grab samples taken at approximately 15-minute intervals. The arithmetic mean of the samples shall constitute the run value. For Method 7C or 7D, each run shall consist of a 1-hour sample. A velocity traverse shall be performed once per run.

* * * * *

3. By amending Appendix A by adding a new method 7B as follows:

Appendix A

* * * * *

Method 7B. Determination of Nitrogen Oxide Emissions From Stationary Sources (Ultraviolet Spectrophotometry)

1. Applicability and Principle

1.1 Applicability. This method is applicable to the measurement of nitrogen oxides emitted from nitric acid plants. The range of the method as outlined has been determined to be 57 to 1,500 milligrams NO_x (as NO_2) per dry standard cubic meter, or 30 to 786 ppm NO_x (as NO_2), assuming corresponding standards are prepared.

1.2 Principle. A grab sample is collected in an evacuated flask containing a dilute sulfuric acid-hydrogen peroxide absorbing solution; and the nitrogen oxides, except nitrous oxide, are measured by ultraviolet absorption.

2. Apparatus

2.1 Sampling. Same as Method 7, Section 2.1.1 through Section 2.1.11.

2.2 Sample Recovery. The following equipment is required for sample recovery:

2.2.1 Wash Bottle. Polyethylene or glass.

2.2.2 Volumetric Flasks. 100-ml (one for each sample).

2.3 Analysis. The following equipment is needed for analysis:

2.3.1 Volumetric Pipettes. 5-, 10-, 15-, and 20-ml to make standards and sample dilutions.

2.3.2 Volumetric Flasks. 1000- and 100-ml for preparing standards and dilution of samples.

2.3.3 Spectrophotometer. To measure ultraviolet absorbance at 210 nm.

2.3.4 Analytical Balance. To measure to within 0.1 mg.

3. Reagents

Unless otherwise indicated, all reagents are to conform to the specifications established by the committee on analytical reagents of the American Chemical Society, where such specifications are available. Otherwise, use the best available grade.

3.1 Sampling. Same as Method 7, Section 3.1. It is important that the amount of hydrogen peroxide in the absorbing solution not be increased. Higher concentrations of peroxide may interfere with sample analysis.

3.2 Sample Recovery. Same as for Method 7, Section 3.2.2.

3.3 Analysis. Same as for Method 7, Sections 3.3.4, 3.3.5, and 3.3.7 with the addition of the following:

3.3.1 Working Standard KNO_3 Solution. Dilute 10 ml of the standard solution to 1000 ml with water. One milliliter of the working standard is equivalent to 10 μg nitrogen dioxide (NO_2).

3.3.2 Absorbing Solution. Same as in Section 3.1.

3.3.3 Quality Assurance Audit Samples. Nitrate samples are prepared in glass vials by the Environmental Protection Agency (EPA), Environmental Monitoring Systems Laboratory, Research Triangle Park, North Carolina. Each set will consist of two vials with two unknown concentrations. When making compliance determinations, obtain the audit samples from the quality assurance management office at each EPA regional office.

4. Procedures

4.1 Sampling. Same as Method 7, Sections 4.1.1 and 4.1.2.

4.2 Sample Recovery. Let the flask sit for a minimum of 16 hours, and then shake the contents for 2 minutes. Connect the flask to a mercury filled U-tube manometer. Open the valve from the flask to the manometer, and record the flask temperature (T_f), the barometric pressure, and the difference between the mercury levels in the manometer. The absolute internal pressure in the flask (P_f) is the barometric pressure less the manometer reading.

Transfer the contents of the flask to a 100-ml volumetric flask. Rinse the flask three times with 10-ml portions of water, and add to the volumetric flask. Dilute to 100 ml with water. Mix thoroughly. The sample is now ready for analysis.

4.3 Analysis. Pipette a 20-ml aliquot of sample into a 100-ml volumetric flask. Dilute to 100 ml with water. The sample is now ready to be read by ultraviolet spectrophotometry. Using the blank as zero reference, read the absorbance of the sample at 210 nm.

4.4 Audit Analysis. With each set of compliance samples or once per analysis day, or once per week when averaging continuous samples, analyze each performance audit in the same manner as the sample to evaluate the analyst's technique and standard preparation. The same person, the same reagents, and the same analytical system must be used both for compliance determination samples and the EPA audit samples. Report the results of all audit samples with the results of the compliance determination samples. The relative error will be determined by the regional office or the appropriate enforcement agency.

5. Calibration

Same as Method 7, Section 5.1 and Sections 5.3 through 5.6 with the addition of the following:

5.1 Determination of Spectrophotometer Standard Curve. Add 0.0 ml, 5 ml, 10 ml, 15 ml, and 20 ml of the KNO_3 working standard solution (1 ml- 10 μg NO_2) to a series to five 100-ml volumetric flasks. To each flask, add 5 ml of absorbing solution. Dilute to the mark with water. The resulting solutions contain 0.0, 50, 100, 150, and 200 μg NO_2, respectively. Measure the absorbance by ultraviolet spectrophotometry at 210 nm, using the blank as a zero reference. Prepare a standard curve plotting absorbance vs. μg NO_2.

Note.—If other than a 20-ml aliquot of sample is used for analysis, then the amount of absorbing solution in the blank and standards must be adjusted such that the same amount of absorbing solution is in the blank and standards as is in the aliquot of sample used. Calculate the spectrophotometer calibration factor as follows:

$$K_C = \frac{\sum_{i=1}^{N} M_i A_i}{\sum_{i=1}^{N} A_i^2} \qquad \text{(Eq. 7.1.)}$$

Where:

M_i = Mass of NO_2 in standard i, μg.
A_i = Absorbance of NO_2 standard i.
N = Total number of calibration standards.

For the set of calibration standards specified here, Equation 7–1 simplifies to the following:

$$K_C = 50\,\frac{A_1 + 2A_2 + 3A_3 + 4A_4}{A_1^2 + A_2^2 + A_3^2 + A_4^2} \qquad \text{(Eq. 7.2)}$$

6. Calculations

Same as Method 7, Sections 6.1, 6.2, and 6.4 with the addition of the following:

6.1 Total μg NO_2 Per Sample:

$$m = 5K_c\,AF \qquad \text{(Eq. 7–3)}$$

Where:

5 = 100/20, the aliquot factor.

Note.–If other than a 20-ml aliquot is used for analysis, the factor 5 must be replaced by a corresponding factor.

6.2 Relative Error (RE) for Quality Assurance Audits.

$$RE = \frac{C_d - C_a}{C_a} \times 100 \qquad \text{(Eq. 7–4)}$$

Where:

C_d = Determined audit concentration.
C_a = Actual audit concentration.

7. Bibliography

1. National Institute for Occupational Safety and Health Recommendations for Occupational Exposure to Nitric Acid. In: Occupational Safety and Health Reporter. Washington, D.C. Bureau of National Affairs, Inc. 1976. p. 149.

2. Rennie, P.J., A.M. Sumner, and F.B. Basketter. "Determination of Nitrate in Raw, Potable, and Waste Waters by Ultraviolet Spectrophotometry." "Analyst." Vol. 104. September 1979. p. 837.

[FR Doc. 85–9715 Filed 4–22–85; 8:45 am]
BILLING CODE 6560–50–M

DEPARTMENT OF TRANSPORTATION

Coast Guard

46 CFR Parts 153 and 154

[CGD 81–052]

Compliance Procedures for Self-Propelled Foreign-Flag Vessels Carrying Hazardous Liquids and Bulk Liquefied Gases

Correction

In FR Doc. 85–5177 beginning on page 8730 in the issue of Tuesday, March 5, 1985, make the following corrections:

1. On page 8733, in the first column, in § 153.9, after the introductory text of paragraph (a), insert the following paragraph (1):

"(1) An additional classification society statement that the vessel complies with § 153.530 (b), (d), and (p)(1) if a person desires a Certificate of Compliance endorsed with the name of an alkylene oxide; and"

2. On page 8734, in the first column, in § 153.809 (c)(4), in the second line, "are board" should read "are on board".

3. On page 8734, in the third column, in footnote 1 to § 154.5(a), in the third line, "Subchapter C" should read "Subchapter O".

4. On page 8734, in the third column, in § 154.151(b)(1), in the fourth line, "to the" should read "to a".

BILLING CODE 1505–01–M

Research and Special Programs Administration

49 CFR Part 195

[Amdt. 195–33, Docket PS–80]

Transportation of Hazardous Liquids by Pipeline; Regulation of Intrastate Pipelines

AGENCY: Materials Transportation Bureau (MTB), DOT.

ACTION: Final rule.

SUMMARY: The existing Federal safety standards for pipelines transporting hazardous liquids apply to pipelines operating in interstate or foreign commerce. This final rule extends the applicability of these standards to include pipelines transporting hazardous liquids that affect interstate or foreign commerce, sometimes called intrastate pipelines. The Hazardous Liquid Pipeline Safety Act of 1979 (HLPSA) requires this action to provide for consistent State regulation of risks associated with intrastate transportation of hazardous liquids.

EFFECTIVE DATES: The effective date of this final rule is October 21, 1985, except that the effective date of § 195.402 with respect to intrastate pipelines is April 23, 1987.

FOR FURTHER INFORMATION CONTACT: Frank Robinson, (202) 426–2392, regarding the content of this final rule. Barbara Betsock (202) 755–4972 concerning Appendix A, or the Dockets Branch (202) 426–3148, regarding other information in the docket.

SUPPLEMENTARY INFORMATION:

Background

Section 203(a) of the Hazardous Liquid Pipeline Safety Act of 1979 (HLPSA) (49 U.S.C. 2002) requires the Secretary of Transportation to establish minimum Federal safety standards for the transportation of hazardous liquids by pipeline in or affecting interstate or foreign commerce. Once the Federal standards are established, section 205 of the HLPSA provides for State adoption and enforcement of the Federal standards with respect to "intrastate pipelines," or pipelines to which the HLPSA applies which are not used in interstate or foreign commerce. Although State safety regulation of interstate pipelines is preempted, the HLPSA permits States to adopt additional or more stringent safety standards for intrastate pipelines, provided they are compatible with the Federal standards (49 U.S.C. 2002(d)).

On July 20, 1981, MTB reissued the safety standards in 49 CFR Part 195 under section 203 of the HLPSA, and applied the standards to pipelines transporting petroleum, petroleum products, or anhydrous ammonia in interstate or foreign commerce (46 FR 38357). At that time, MTB decided to defer further application of the standards to similar intrastate pipelines for at least 2 years, allowing interested State agencies time to prepare for participation under the section 205 program.

Thereafter, MTB solicited State participation under section 205 and learned that 15 States had enabling legislation for the safety regulation of intrastate pipelines, while 7 other States were considering it.

Then on March 26, 1984, the MTB published a notice of proposed rulemaking (NPRM), proposing that the existing Federal safety standards (49 CFR Part 195), with minor modifications, be extended to cover intrastate pipelines (49 FR 11226). It was estimated that about 11,000 miles of pipeline would be affected by the proposal, 88 percent of which are within States that either