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, Particulate matter, Intergovernmental relations, Incorporation by reference.

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

Dated: January 9, 1985.

Lee M. Thomas,

Administrator.

PART 52—[AMENDED]

Part 52 of Chapter I, Title 40.
40 CFR Part 52 is amended as follows:

Subpart II—North Carolina

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

Authority: 42 U.S.C. 7401–7642.

2. Section 52.1770 is amended by adding paragraph (c)(4) as follows:

§ 52.1770 Identification of Plan.

* * * * *

(c) * * *

(40) Visibility Impairment Prevention Program and visibility new source review regulations were submitted to EPA on April 15, 1985.

(i) Incorporation by reference.

(A) Letter of April 15, 1985, from the North Carolina Department of Natural Resources and Community Development, and the following North Carolina Administrative Code revisions which were adopted by the Environmental Management Commission on April 11, 1985: 15 NCAC 2D.0530, Prevention of Significant Deterioration 15 NCAC 2D.0531, Sources in Nonattainment Areas.

(ii) Additional material.

(A) Narrative submittal, titled "Visibility Impairment Prevention Program for Federal Class I Areas," adopted by the Environmental Management Commission on April 11, 1985.

[FR Doc. 86–970 Filed 1–17–86; 8:45 am]

BILLING CODE 6560-50-M

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40 CFR Part 52

[A-4-FRL-2955-6]

Approval and Promulgation of Implementation Plans; Florida; Visibility New Source Review Regulations

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: In this action, EPA is approving revisions to the Florida State Implementation Plan (SIP) which were submitted to EPA on September 23, 1985. Florida has revised its PSD rule to meet the Federal requirements contained in 40 CFR 51.307(a). These visibility provisions were submitted to EPA in order to satisfy the first part of the Settlement Agreement with the Environmental Defense Fund, et al., described at 40 FR 20647 on May 16, 1984. The principal effect of the visibility protection regulations will be to require the State to consider visibility impacts when reviewing permit applications for new major sources and major modifications (in attainment areas) which could affect visibility in Federal Class I areas.

DATES: This action will be effective March 24, 1986, unless notice is received within 30 days that adverse or critical comments will be submitted.

ADDRESSES: Comments may be submitted to Janet Hayward at the EPA Regional Office address listed below. Copies of the documents relevant to this action are available for public inspection at the following locations:

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

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

The Office of the Federal Register, 1100 L Street NW., Room 8401, Washington, DC;

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

FOR FURTHER INFORMATION CONTACT: Janet Hayward of the EPA Region IV Air Programs Branch, at the above address and telephone (404) 881-3286 or FTS 257-3286.

SUPPLEMENTARY INFORMATION: As a result of the Environmental Defense Fund (EDF) Agreement, the State of Florida was required to develop visibility new source review and visibility monitoring provisions to meet the requirements of 40 CFR 51.305 and 51.307. On September 23, 1985, Florida submitted visibility new source review regulations to EPA for approval. This submittal satisfies the requirements of 40 CFR 51.307(a). Since Florida did not submit a visibility monitoring plan to meet § 51.305 requirements, EPA was required to promulgate a monitoring plan for the State. This promulgation took place on July 12, 1985 (50 FR 28544).

Rule 17–2.100, FAC (Definitions) has been revised to include the visibility-related definitions contained in 40 CFR 51.301.

Rule 17–2.220, FAC (Public Notice and Comment) has been amended to incorporate the notification requirements of 40 CFR 51.307 (a)(1) and (a)(2).

Rule 17–2.500, FAC (Prevention of Significant Deterioration) has been amended to ensure Federal Land Manager involvement in permit reviews for new sources or modifications (in attainment areas) which may impact visibility in a Federal Class I area. The rule requires the permit applicant to provide an analysis of visibility impairment which would be caused by the new construction. The applicant may also be required to perform visibility monitoring.

Revisions to Rule 17–2.510, FAC (New Source Review for Nonattainment Areas), were also submitted by the State of Florida to meet the requirements of 40 CFR 51.307(b). Since EPA has not yet approved the original submittal of 17–2.510, the Agency will wait and process the entire regulation at the same time. EPA action on the State's visibility provisions for new source review in nonattainment areas will be published in a separate Federal Register notice.

Further details pertaining to these regulation changes are contained in the technical support document, which is available for public inspection at EPA's Regional Office in Atlanta, Georgia.

EPA is publishing this action 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 March 24, 1986.

Final Action: After reviewing Florida's visibility regulation revisions, EPA has found them to meet the requirements contained in 40 CFR 51.307(a); EPA is therefore approving the changes to Rules 17–2.100, 17–2.220 and

17-2.500, submitted by the State of Florida on September 23, 1985.

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 March 24, 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 52

Air pollution control, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone; Particulate matter, Sulfur oxides.

Note.—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.

Dated: January 9, 1986.

Lee M. Thomas,

Administrator.

Part 52 of Chapter I, Title 40.

40 CFR Part 52 is amended as follows:

PART 52—[AMENDED]

Subpart K—Florida

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

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

2. Section 52.520 is amended by adding paragraph (c)(58) as follows:

§ 52.520 Identification of plan.

* * * * *

(c) * * *

(58) Visibility new source review regulations were submitted to EPA on September 23, 1985.

(i) Incorporation by reference.

(A) Letter of September 23, 1985, from the State of Florida Department of Environmental Regulation, and amendments to Rule 17-2.100 FAC (Definitions), Rule 17-2.220 FAC (Public Notice and Comment), and Rule 17-2.500 FAC (Prevention of Significant Deterioration), adopted by the Florida Department of Environmental Regulation on July 25, 1985.

[FR Doc. 86-966 Filed 1-17-86; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 52

[A-4-FRL-2955-3]

Approval and Promulgation of Implementation Plans; South Carolina; Visibility Protection Program

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: In this action, EPA is approving revisions to the South Carolina State Implementation Plan (SIP) which were submitted to EPA on June 3, 1985. South Carolina has revised its PSD rule to meet the Federal requirements contained in 40 CFR 51.307(a). The State has also developed a narrative visibility plan. These visibility provisions were submitted to EPA in order to satisfy the first part of the Settlement Agreement with the Environmental Defense Fund, et al., described at 40 FR 20647 on May 16, 1984. The principal effect of the visibility protection regulations will be to require the State to consider visibility impacts when reviewing permit applications for new major sources and major modifications (in attainment areas) which may affect visibility in Federal Class I areas.

DATE: This action will be effective March 24, 1986, unless notice is received within 30 days that adverse or critical comments will be submitted.

ADDRESSES: Comments may be submitted to Janet Hayward at the EPA Regional Office Address listed below. Copies of the documents relevant to this action are available for public inspection at the following locations:

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

Bureau of Air Quality Control, South Carolina Department of Health, and Environmental Control, 2600 Bull Street, Columbia, South Carolina 29201;

The Office of the Federal Register, 1100 L Street, NW., Room 8401, Washington, DC;

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

FOR FURTHER INFORMATION CONTACT: Janet Hayward of the EPA Region IV Air Program Branch, at the above address and telephone (404) 881-3286 or FTS 257-3286.

SUPPLEMENTARY INFORMATION: As a result of the Environmental Defense Fund (EDF) Agreement,the State of South Carolina was required to develop visibility new source review and visibility monitoring provisions to meet the requirements of 40 CFR 51.305 and 51.307. On June 3, 1985, South Carolina submitted its visibility protection plan to EPA for approval.

South Carolina's "Visibility Protection Control Strategy" consists of two parts—a narrative discussion of the State's visibility program and their new source review rule revisions.

1. The narrative section identifies the primary visibility impairing pollutants, and discusses the typical sources of visibility degradation. South Carolina has one mandatory Federal Class I area, which is Cape Romain Wildlife Refuge and Wilderness Area. Due to Cape Romain's location along the coast, the most frequent impediment to visibility is naturally-occurring sea fog. No single source or group of sources has been pinpointed as causing visibility impairment in this Class I area. As of February 1, 1985, the Federal Land Manager had not documented any source-specific visibility impairment at Cape Romain. Since no plume impacts have been noted, no existing sources are required to be controlled at this time.

South Carolina's visibility SIP does not contain a specific plan for monitoring visibility at Cape Romain. Since the State chose not to submit a monitoring strategy, EPA was required to promulgate the Federal plan in its place. This promulgation took place on July 12, 1985, and was published in the Federal Register at 50 FR 28544.

South Carolina's "Visibility Protection Control Strategy" also describes the State's long-term strategy for visibility preservation, including a requirement to review the entire program every three years. The strategy also addresses integral vistas, of which none have been identified in the State. As part of their long-term efforts, South Carolina has committed to give special attention to the impact forest management practices may have on visibility in their Class I area. A long-term strategy and protection of integral vistas are not required under Part 1 of visibility regulation implementation. Although these provisions may not meet all the requirements of 40 CFR 51.300 et seq. they do not conflict with EPA's Part 2 visibility rules. South Carolina's visibility SIP may need to be revised later to incorporate all the requirements of 40 CFR 51.302, 51.304 and 51.306.

2. South Carolina has revised its PSD rule to meet the requirements of 40 CFR 51.307(a). EPA has exempted the State from meeting the new source review requirements for sources in nonattainment areas, because there are

no nonattainment areas within 100 km of Cape Romain. For further details, consult the July 12, 1985, Federal Register (50 FR 28544).

South Carolina Regulation No 62.5, Standard No. 7, Section IV, Part H was amended to describe the procedures to be followed when a new source in an attainment area (and subject to PSD review) would impair the visibility of a Class I area. The procedures require the State to provide the Federal Land Manager with the new source's permit application and an analysis of potential visibility impacts. The State must also consider any analysis concerning visibility impairment submitted by the FLM. If there is any disagreement with the FLM's comments, the State must explain its decision in writing and make that explanation available for public examination.

Regulation No. 62.5, Standard No. 7 Section IV, Part E, was amended to allow the State to require a source to perform visibility monitoring. Together, these two rule changes constitute an acceptable visibility new source review program.

Further details pertaining to these regulation changes are contained in the technical support document, which is available for public inspection at EPA's Regional Office in Atlanta, Georgia.

EPA is publishing this action without prior proposal because the Agency views this 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 March 24, 1986.

Final Action: After reviewing South Carolina's visibility regulation revisions, EPA has found them to meet the requirements contained in 40 CFR 51.307(a); EPA is therefore approving the rule changes submitted by the State of South Carolina on June 3, 1985, as well as the State's visibility SIP narrative.

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 March 24, 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 52

Air pollution control, Incorporation by reference, Intergovernmental relation, Nitrogen dioxide, Ozone, Particulate matter, Sulfur oxides.

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

Dated: January 9, 1985.

Lee M. Thomas,

Administrator.

Part 52 of Chapter I, Title 40.

40 CFR Part 52 is amended as follows:

PART 52—[AMENDED]

Subpart PP—South Carolina

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

Authority: 42 U.S.C. 7401–7642.

2. Section 52.2120 is amended by adding paragraph (c)(25) as follows:

§ 52.2120 Identification of plan.

* * * * *

(c) * * *

(25) Visibility new source review regulations and narrative visibility SIP were submitted to EPA on June 3, 1985.

(i) Incorporation by reference.

(A) Letter of June 3, 1985, from the South Carolina Department of Health and Environmental Control, and amendments to Regulation No. 62.5, Standard No. 7, Section IV, Part H; Regulation No. 62.5, Standard No. 7, Section IV, Part E; and Regulation No. 62.5, Standard No. 7, Section I, Part CC, adopted by the South Carolina Board of Health and Environmental Control on May 21, 1985.

(ii) Additional material.

(A) Narrative section, titled "Visibility Protection Control Strategy", adopted by the South Carolina Board of Health and Environmental Control on May 21, 1985.

* * * * *

[FR Doc. 86–972 Filed 1–17–86; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Parts 60 and 61

[AD-FRL-2913-7]

Equipment Leaks From Synthetic Organic Chemical Manufacturing Industry; Natural Gas Processing Plants; Equipment Leaks of Benzene Flare Requirements

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: On April 16, 1985 (50 FR 14941), EPA proposed an addition to the General Provisions of 40 CFR Part 60 containing requirements for flares used to comply with standards in 40 CFR Parts 60 and 61. This action promulgates the addition of flare requirements to the General Provisions. This action also promulgates the referencing of these requirements in standards of performance for equipment leaks from the synthetic organic chemical industry (SOCMI) and natural gas processing plants and in national emissions standards for equipment leaks of benzene.

DATES: These amendments and the incorporation-by-reference approved by the Director of the Federal Register are effective January 21, 1986.

Under section 307(b)(1) of the Clean Air Act, judicial review of the actions taken by this notice 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.

ADDRESSES: *Docket.* The docket, No. A–79–32, containing information considered by EPA in development of the promulgated standards, is available for public inspection 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, 401 M Street SW., Washington, DC 20460. A reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: Mr. Fred Dimmick or Mr. Gil Wood, Standards Development Branch [telephone number (919) 541–5578] concerning policy and regulatory matters and Mr. Leslie B. Evans or Mr. Robert Rosensteel. Chemicals and Petroleum Branch [telephone number (919) 541–5671] concerning technology information; Emission Standards and

Engineering Division; U.S. Environmental Protection Agency; Research Triangle Park, North Carolina 27711.

SUPPLEMENTARY INFORMATION:

I. Background

The EPA promulgated final standards of performance for equipment leaks in SOCMI as Subpart VV of 40 CFR Part 60 on October 18, 1983 (48 FR 48328). On December 15, 1983, the Chemical Manufacturers Association (CMA) submitted to EPA a petition to reconsider the exit velocity limitations on flares used as control devices to comply with Subpart VV of 40 CFR Part 60. The EPA convened a proceeding to reconsider the exit velocity limitations on flares, based on the availability of new information of central relevance to the exit velocity limitation. After review of the new information in a study (Docket No. VII–B–1) completed by EPA's Office of Research and Development, EPA determined that the exit velocity limitation should be revised. The EPA also determined that the revised exit velocity limitation for flares should apply to several other standards in Parts 60 and 61. Therefore, on April 16, 1985 (50 FR 14941), EPA proposed changes in the exit velocity limitation for flares used as control devices to comply with Subparts VV, NNN and Kb of 40 CFR Part 60 and Subparts L and V of Part 61. The EPA also proposed to place the flare requirements in the General Provisions of Part 60 for easy reference by all subparts in Part 60 and Part 61.

The public comment period was from April 16, 1985 to June 17, 1985. The EPA received four comments on the proposed action and, after review of these comments, has no reason to change the proposal. This action finalizes the addition of the flare requirements to the General Provisions of 40 CFR Part 60 and references those requirements in the final standards of performance for equipment leaks in SOCMI (Subpart VV of Part 60) and in the final national emission standards for benzene equipment leaks (Subpart V of Part 61). The proposed changes to flare requirements in Subparts NNN and Kb of Part 60 and Subpart L of Part 61 will be finalized when action is taken to finalize those subparts. On June 24, 1985 (50 FR 26122), EPA promulgated flare requirements for natural gas processing plants in Subpart KKK of Part 60 identical to those promulgated today in the General Provisions of Part 60; this notice revises Subpart KKK to reference the flare requirements in the General Provisions.

II. The Standards

The final requirements for flares used to comply with standards of performance and national emission standards include some basic requirements: a flame must be present at all times that emissions are being vented to the flare and the flare must be operated in a smokeless manner. The presence of a pilot flame is to be monitored using a thermocouple or other device. Smokeless operation is to be verified by measuring visible emissions using Reference Method 22. Allowances are made for the occurrence of visible emissions for a maximum of 5 minutes during any 2-hour period. In addition to these basic requirements, the final requirements include minimum heat content and exit velocity limitations. Steam-assisted and air-assisted flares must combust gases with greater than 300 Btu per standard cubic foot (Btu/scf). Steam-assisted and nonassisted flares must be designed and operated with an exit velocity either (a) less than 60 feet per second (fps), (b) less than 400 fps if the heat content of gas being combusted is greater than 1,000 Btu/scf or (c) less than a velocity determined by an equation based on the heat content if the gas being combusted is between 300 Btu/scf and 1,000 Btu/scf. Air-assisted flares must be designed and operated with an exit velocity less than a velocity determined by another equation based on the heat content of the gas being combusted in the flare.

III. Environmental, Cost, Economic and Energy Impacts

There are no adverse environmental, economic or energy impacts associated with the promulgated flare requirements. However, the effect of the revision to the flare requirements would be to allow more existing flares to be used as control devices for complying with standards in Parts 60 and 61. To the extent that more existing flares can be used to comply with the standards, cost and economic impacts would be decreased.

IV. Public Participation

The revised flare requirements were proposed and published in the **Federal Register** on April 16, 1985 (50 FR 14941). Public comments were solicited at the time of proposal. The public comment period was from April 16, 1985 to June 17, 1985. The EPA also offered to hold a public hearing at the request of interested parties. No request for a public hearing was received, nor were any significant adverse comments received on the proposed action. The EPA's detailed response to the four comments is contained in the rulemaking docket.

V. Administrative

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 readily identify and locate documents, so that they can effectively participate in the rulemaking process. Along with the statement of basis and purpose of the proposed and promulgated standards and EPA responses to significant comments, the contents of the docket, except for interagency review materials, will serve as the record in case of judicial review [section 307(d)(7)(A)].

The effective date of the new flare requirements depends on which Subpart is referencing the requirement. In general, however, section 111 of the Clean Air Act provides that standards of performance or revisions thereof become effective upon promulgation and apply to affected facilities of which the construction or modification was commenced after the date of proposal. Section 112 of the Clean Air Act also provides that emissions standards become effective upon promulgation and apply to all sources (whether new or existing) covered by the standard. In accordance with section 117 of the Act, publication of these promulgated standards was preceded by consultation with appropriate advisory committees, independent experts, and Federal departments and agencies.

The information collection requirements associated with the final flare requirements have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1980, 44 U.S.C. 3501 *et seq.* However, burden estimates have not been made for this action. Instead, burden estimates are made for each of the standards to which flare provisions apply. The revision to the exit velocity had no impact on the recordkeeping and reporting requirements associated with Subpart VV of Part 60 or Subpart KKK [OMB Control Nos. (2060–0012 and 2060–0120)] or Subpart V of Part 61 [OMB Control No. (2060–0068)].

Under Executive Order 12291, EPA is required to judge whether a regulation is a "major rule" and, therefore, subject to certain requirements of the Order. The Administrator has determined that this regulation would result in none of the adverse economic impacts set forth in section 1 of the Order as grounds for finding a regulation to be a "major rule." This proposal makes complying with the existing standards less expensive, and thus would serve to decrease the economic impact. The Administrator has concluded that this rule is not "major" under any of the criteria established in the Executive Order.

This regulation was submitted to the OMB for review as required by Executive Order 12291. Any written comments from OMB to EPA and any EPA responses to those comments are available for public inspection, in Docket No. A-79-32, Central Docket Section, at the address given in the ADDRESSES section of this preamble.

The Administrator certifies that a regulatory flexibility analysis under 5 U.S.C. 601 et seq., is not required for this rulemaking because the rulemaking would not have significant impact on a substantial number of small entities. This proposal has no significant cost impact.

List of Subjects in 40 CFR Parts 60 and 61

Air pollution control, Reporting and recordkeeping requirements, Incorporation by reference, Intergovernmental relations, Synthetic organic chemical manufacturing industry, Sources of benzene emissions, Natural gas processing plants.

Dated: January 12, 1986.

Lee M. Thomas,

Administrator.

40 CFR Part 60 and Part 61 is amended as follows:

PART 60—[AMENDED]

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

Authority: Secs. 101, 111, 114, 116, 301, Clean Air Act as amended (42 U.S.C. 7401, 7411, 7414, 7416, 7601).

2. By adding § 60.18 to Part 60 Subpart A as follows:

§ 60.18 General control device requirements.

(a) *Introduction.* This section contains requirements for control devices used to comply with applicable subparts of Part 60 and Part 61. The requirements are placed here for administrative convenience and only apply to facilities covered by subparts referring to this section.

(b) *Flares.* Paragraphs (c) through (f) apply to flares.

(c)(1) Flares shall be designed for and operated with no visible emissions as determined by the methods specified in paragraph (f), except for periods not to exceed a total of 5 minutes during any 2 consecutive hours.

(2) Flares shall be operated with a flame present at all times, as determined by the methods specified in paragraph (f).

(3) Flares shall be used only with the net heating value of the gas being combusted being 11.2 MJ/scm (300 Btu/scf) or greater if the flare is steam-assisted or air-assisted; or with the net heating value of the gas being combusted being 7.45 MJ/scm (200 Btu/scf) or greater if the flare is nonassisted. The net heating value of the gas being combusted shall be determined by the methods specified in paragraph (f).

(4) (i) Steam-assisted and nonassisted flares shall be designed for and operated with an exit velocity, as determined by the methods specified in paragraph (f)(4), less than 18.3 m/sec (60 ft/sec), except as provided in paragraph (b)(4) (ii) and (iii).

(ii) Steam-assisted and nonassisted flares designed for and operated with an exit velocity, as determined by the methods specified in paragraph (f)(4), equal to or greater than 18.3 m/sec (60 ft/sec) but less than 122 m/sec (400 ft/sec) are allowed if the net heating value of the gas being combusted is greater than 37.3 MJ/scm (1,000 Btu/scf).

(iii) Steam-assisted and nonassisted flares designed for and operated with an exit velocity, as determined by the methods specified in paragraph (f)(4), less than the velocity, V_{max}, as determined by the method specified in paragraph (f)(5), and less than 122 m/sec (400 ft/sec) are allowed.

(5) Air-assisted flares shall be designed and operated with an exist velocity less than the velocity, V_{max}, as determined by the method specified in paragraph (f)(6).

(6) Flares used to comply with this section shall be steam-assisted, air-assisted, or nonassisted.

(d) Owners or operators of flares used to comply with the provisions of this subpart shall monitor these control devices to ensure that they are operated and maintained in conformance with their designs. Applicable subparts will provide provisions stating how owners or operators of flares shall monitor these control devices.

(e) Flares used to comply with provisions of this subpart shall be operated at all times when emissions may be vented to them.

(f) (1) Reference Method 22 shall be used to determine the compliance of flares with the visible emission provisions of this subpart. The observation period is 2 hours and shall be used according to Method 22.

(2) The presence of a flare pilot flame shall be monitored using a thermocouple or any other equivalent device to detect the presence of a flame.

(3) The net heating value of the gas being combusted in a flare shall be calculated using the following equation:

$$H_T = K \sum_{i=1}^{n} C_i H_i$$

where:

H_T = Net heating value of the sample, MJ/scm; where the net enthalpy per mole of offgas is based on combustion at 25 °C and 760 mm Hg, but the standard temperature for determining the volume corresponding to one mole is 20 °C;

$$K = \text{Constant, } 1.740 \times 10^{-7} \left(\frac{1}{\text{ppm}}\right) \left(\frac{\text{g mole}}{\text{scm}}\right) \left(\frac{\text{MJ}}{\text{kcal}}\right)$$

where the standard temperature for $\left(\frac{\text{g mole}}{\text{scm}}\right)$ is 20°C;

C_i = Concentration of sample component i in ppm on a wet basis, as measured for organics by Reference Method 18 and measured for hydrogen and carbon monoxide by ASTM D1946-77 (Incorporated by reference as specified in § 60.17); and

H_i = Net heat of combustion of sample component i, kcal/g mole at 25 °C and 760 mm Hg. The heats of combustion may be determined using ASTM D2382-76 (incorporated by reference as specified in § 60.17) if published values are not available or cannot be calculated.

(4) The actual exist velocity of a flare shall be determined by dividing the volumetric flowrate (in units of standard temperature and pressure), as determined by Reference Methods 2, 2A, 2C, or 2D as appropriate; by the unobstructed (free) cross sectional area of the flare tip.

(5) The maximum permitted velocity, V_{max}, for flares complying with paragraph (c)(4)(iii) shall be determined by the following equation.

$$\text{Log}_{10}(V_{max}) = (H_T + 28.8)/31.7$$

V_{max}=Maximum permitted velocity, M/sec
28.8=Constant
31.7=Constant
H_T=The net heating value as determined in paragraph (f)(3).

(6) The maximum permitted velocity, V_{max}, for air-assisted flares shall be determined by the following equation.

$V_{max}=8.706+0.7084\ (H_T)$

V_{max}=Maximum permitted velocity, m/sec
8.706=Constant
0.7084=Constant
H_T=The net heating value as determined in paragraph (f)(3).

§ 60.482-10 [Amended]

3. By revising paragraph (d) of § 60.482-10 of Subpart VV of Part 61 as follows:

* * * * *

(d) Flares used to comply with this subpart shall comply with the requirements of §60.18.

* * * * *

§ 60.633 [Amended]

4. By revising paragraph (g) of § 60.633 of Subpart KKK as follows:

* * * * *

(g) Flares used to comply with this subpart shall comply with the requirements of § 60.18.

* * * * *

5. By revising paragraph (a)(38) and by adding paragraph (a)(46) of § 60.17 of Subpart A—General Provisions as follows:

§ 60.17 Incorporation by reference.

(a) * * *

(38) ASTM D2382-76, Heat of Combustion of Hydrocarbon Fuels by Bomb Calorimeter [High-Precision Method], IBR approved for § 60.18(f) and § 60.485(g).

* * * * *

(46) ASTM D1946-77, Analysis of Reformed Gas by Gas Chromatography, IBR approved for § 60.18(f).

* * * * *

PART 61—[AMENDED]

6. The authority citation for Part 61 continues to read as follows:

Authority: Secs. 101, 112, 114, 116, 301, Clean Air Act as amended (42 U.S.C. 7401, 7412, 7414, 7416, 7601).

§ 61.242-11 [Amended]

7. By revising paragraph (d) of § 61.242-11 of Subpart V of Part 61 as follows:

* * * * *

(d) Flares used to comply with this subpart shall comply with the requirements of § 60.18.

* * * * *

[FR Doc. 86-1063 Filed 1-17-86; 8:45 am]

BILLING CODE 6560-50-M

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40 CFR Part 180

[PP 4F3027/R766; FRL-2947-7]

Cyano (3-Phenoxyphenyl) Methyl-4-Chloro-Alpha-(1-Methylethyl) Benzeneacetate; Tolerances

Correction

In FR Doc. 85-30989 beginning on page 25 in the issue of Thursday, January 2, 1986, make the following correction:

On page 26, in the second column, the date line should read "December 20, 1985".

BILLING CODE 1505-01-M

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40 CFR Part 261

[FRL-2947-1]

Hazardous Waste Management System; Identification and Listing of Hazardous Waste

Correction

In FR Doc. 85-30890, beginning on page 53315 in the issue of Tuesday, December 31, 1985, make the following corrections on page 53319:

1. In the second column, § 261.31, fourteenth line from the bottom of the page, "1,2,2-" should read 1,1,2-".

2. In the third column, § 261.31, in the Hazard Code column of the table, the last entry "(T)" should read "(I,T)".

BILLING CODE 1505-01-M

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40 CFR Part 716

[OPTS-84017A; FRL-2945-4]

Submission of Lists and Copies of Health and Safety Studies on Vinyl Acetate

Correction

In FR Doc. 85-30719 beginning on page 52923 in the issue of Friday, December 27, 1985, make the following correction:

On page 52923, in the third column, in paragraph 2.a., in the first line, "Copy each" should read "copy of each".

BILLING CODE 1505-01-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 1 and 94

[FCC 86-8]

Private Operations-Fixed Microwave Service; Amendment

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission has adopted an Order making various non-substantive amendments to Parts 1 and 94 of the Commission's Rules. These amendments pertain primarily to agency practice and procedure. This action will increase the public's understanding of the private microwave rules and reduce the number of improperly filed petitions and requests.

EFFECTIVE DATE: February 18, 1986.

ADDRESS: Federal Communications Commission, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Harold Salters, Land Mobile & Microwave Div., Private Radio Bureau, (202) 632-7597;

Mary Beth Hess, Rules Branch, Land Mobile & Microwave Div., Private Radio Bureau, (202) 634-2443.

SUPPLEMENTARY INFORMATION:

List of Subjects

47 CFR Part 1

Practice and procedure.

47 CFR Part 94

Radio.

Order

In the Matter of Amendment of Parts 1 and 94 of the Commission's Rules to make certain non-substantive changes.

Adopted: January 3, 1986.
Released: January 10, 1986.
By the Commission.

1. The Federal Communications Commission, on its own motion, is amending its rules governing Practice and Procedure (47 CFR Part 1) and the Private Operational-Fixed Microwave Service (47 CFR Part 94) by making certain editorial changes to clarify and correct several rule sections. These changes relate to agency practice and procedure and make other non-controversial amendments that will improve the usefulness of the rules to the public. The following subparagraphs explain these amendments which are fully set out in the attached Appendix:

(a) *Section 1.924 Assignment or transfer of control & § 94.27 Application*