

Territorial Implementation Plan for lead (Pb). This plan consists of a negative declaration and new source review (NSR) rules. It provides for the attainment and maintenance of the National Ambient Air Quality Standards (NAAQS) for Pb. Today's notice approves the negative declaration portion of the plan, as authorized by the Clean Air Act. EPA will solicit public comment on the NSR portion of the submittal in a separate **Federal Register** action.

DATES: This action is effective January 9, 1987, unless notice is received by December 10, 1986, that someone wishes to submit adverse or critical comments.

ADDRESSES: Comments should be sent to: Kevin Golden, Chief, Technical Evaluation Section, Air Management Division, EPA, Region 9, 215 Fremont Street, San Francisco, CA 94105.

Copies of the negative declaration and supporting documentation are available for public inspection during normal business hours at the EPA Region 9 office (address below) and at the following location:

Commonwealth of the Northern Mariana Islands, Department of Public Health and Environmental Services, Division of Environmental Quality, Dr. Torres Hospital, Saipan, Mariana Islands 96950.

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

FOR FURTHER INFORMATION CONTACT: Kevin Golden, telephone: (415) 974-7640, FTS: 454-7640.

SUPPLEMENTARY INFORMATION:

Background

On October 5, 1978 (43 FR 46256) EPA promulgated National Ambient Air Quality Standards (NAAQS) for Pb. On December 15, 1982 the Governor CNMI submitted their Territorial Implementation Plan for Pb as required by section 110 of the Clean Air Act.

Discussion

CNMI has no significant stationary sources of Pb. Automobiles are the major contributors to Pb emissions, estimated at 1.16 tons/year in 1982 on Saipan. In such areas, Federal regulations that limit the Pb content of gasoline have resulted, and will continue to result, in attainment and maintenance of the NAAQS for Pb.

The Territorial Implementation Plan consists of a negative declaration and a NSR provision for Pb. The NSR portion of the plan will be the subject of a separate **Federal Register** proposal. The negative declaration was submitted

based upon the fact that CNMI has no Pb polluting industries and a minimal amount of automobile generated Pb emissions. The above implementation plan elements, though minimal, satisfy the applicable requirements of 40 CFR Part 51 for Pb. Although the NSR rules were adopted with proper public hearing, CNMI failed to hold a public hearing on the negative declaration. EPA does not regard this failure as so material in these unique circumstances as to warrant disapproval of the plan. Judging from the substantive merits and simplicity of the plan, disapproval solely on the basis of this failure would have no significant or practical value. The failure is *de minimis*.

EPA Action

EPA is taking final action under section 110 of the Clean Air Act to approve the negative declaration for Pb as part of the Territorial Implementation Plan for CNMI.

Direct Final

EPA's approval of the negative declaration for Pb is being done without prior proposal because the action is not considered to be controversial. The public should be advised that this action will be effective 60 days from the date this approval is published in the **Federal Register**. However, if notice is received by EPA within 30 days indicating that someone wishes to submit adverse or critical comments, this approval action will be withdrawn and a subsequent notice will be published before the effective date. The subsequent notice will indefinitely postpone the effective date, modify the final action to a proposed action, and establish a comment period.

Regulatory Process

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 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 January 9, 1987. This action may not be challenged later in proceedings to enforce its requirements. (See 307(b)(2)).

Under 5 U.S.C. section 605(b), I certify that SIP approvals do not have a significant economic impact on a substantial number of small entities [46 FR 8709].

List of Subjects in 40 CFR Part 52

Air pollution control, Lead.

Dated: October 5, 1986.

Lee M. Thomas,
Administrator.

PART 52—[AMENDED]

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

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

2. 40 CFR Part 52 is amended by adding Subpart FFF consisting of § 52.2900 to read as follows:

Subpart FFF—Commonwealth of the Northern Mariana Islands

§ 52.2900 Negative declaration.

(a) Air Pollution Implementation Plan for the Commonwealth of the Northern Mariana Islands.

(1) Letter of December 15, 1982, from the Governor to EPA, which is a negative declaration indicating no major lead sources and continued attainment and maintenance of the National Standards for lead.

[FR Doc. 86-25106 Filed 11-7-86; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Parts 52 and 62

[A-1-FRL-3107-7]

Approval and Promulgation of Implementation Plans; Massachusetts; Correction Notice; Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Certification of No Designated Facilities

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is codifying the certification that no sulfuric acid plants that emit sulfuric acid mist are located in the Commonwealth of Massachusetts. Additionally, a correction is being made to Table 52.1167, "EPA-approved Massachusetts Rules and Regulations." The intended effect of this action is to codify this information in 40 CFR Part 62 and 40 CFR Part 52.

EFFECTIVE DATE: This action will be effective January 9, 1987, unless notice is received by December 10, 1986 that adverse or critical comments will be submitted.

ADDRESSES: Comments may be mailed to Louis F. Gitto, Director, Air Management Division, Room 2313, JFK Federal Building, Boston, MA 02203. Copies of the submittal and EPA's evaluation are available for public

inspection during normal business hours at the Environmental Protection Agency, Room 2313, JFK Federal Bldg., Boston, MA 02203; and Department of Environmental Quality Engineering, Division of Air Quality Control, One Winter Street, Boston, MA 02108.

FOR FURTHER INFORMATION CONTACT: Lorenzo Thantu (617) 223-4880; FTS 223-4880.

SUPPLEMENTARY INFORMATION:

Certification of No Designated Facilities

Pursuant to section 111(d) of the Clean Air Act, EPA promulgated regulations at 40 CFR Part 60, Subpart B, which require states to submit plans to control emissions of "designated pollutants" from "designated facilities." In the event that a state does not have a particular "designated facility" located within its boundaries, EPA requires that a negative declaration be submitted.

On February 18, 1986, the Commonwealth of Massachusetts submitted a negative declaration letter to the EPA which certified that with the shutdown of Monsanto's Industrial

Chemicals Company's sulfuric acid unit in Everett, Massachusetts there are no existing sulfuric acid production plants within its boundaries subject to the requirements of 40 CFR Part 60, Subpart B. By submitting this negative declaration letter, the Commonwealth of Massachusetts has fulfilled its responsibility for submitting state plans as required by 40 CFR 60.23.

The Administrator is approving this negative declaration under 40 CFR Part 62, Subpart W since the submittal meets 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."

Final Action

EPA is codifying a certification that no sulfuric acid plants are located in the Commonwealth of Massachusetts at 40 CFR 62.5351.

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 December 10, 1986.

Correction to 40 CFR 52.1167, Table of EPA Approved Massachusetts Rules and Regulations

On September 25, 1985, an addition to the Table of EPA-Approved Massachusetts Rules and Regulations found at 40 CFR 52.1167 was to be codified. That codification was done incorrectly as an amendment replacing the entire Table rather than as an addition to that Table. The addition to the Table found at 40 CFR 52.1167 should be codified as follows:

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 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 December 10, 1986. This action may not be challenged later in proceedings to enforce its requirements (see 307(b)(2)).

List of Subjects

40 CFR Part 62

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

relations, and Reporting and Recordkeeping requirements.

40 CFR Part 62

Air pollution control, Administrative practice and procedure and Reporting and Recordkeeping requirements.

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

Dated: October 17, 1986.

Lee M. Thomas,
Administrator.

PART 62—[AMENDED]

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

Subpart W—Massachusetts

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

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

2. Subpart W is amended by adding § 62.5351 as follows:

Sulfuric Acid Mist Emissions From Existing Sulfuric Acid Plants

§ 62.5351 Identification of Plan—Negative Declaration.

On February 18, 1986, the Commonwealth of Massachusetts submitted a letter certifying that there are no existing sulfuric acid plants in the Commonwealth of Massachusetts.

PART 52—[AMENDED]

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

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

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

§ 52.1167 [Amended]

2. Section 52.1167 is amended to add the following entries to the table of EPA-Approved Rules and Regulations.

TABLE 52.1167—EPA APPROVED RULES AND REGULATIONS

State citation	Title/subject	Date submitted by State	Date approved by EPA	Federal Register citation	52.1120(c)	Comments/unapproved sections
310 CMR 7.00.....	Definitions.....	Feb. 14, 1985.....	Sept. 25, 1985.....	50 FR 38804.....	64	Motor vehicle fuel.
310 CMR 7.02(12) (c) and (d).....	Gasoline Tank Trucks.....	Feb. 14, 1985 and May 22, 1985.....	Sept. 25, 1985.....	50 FR 38804.....	64	Tank trucks.

40 CFR Part 62

[A-6-FRL-3107-4]

Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Arkansas; Compliance Schedules for Total Reduced Sulfur From Kraft Pulp Mills**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final rule.

SUMMARY: This notice approves the Compliance Schedule portion of the Arkansas plan for controlling total reduced sulfur (TRS) emissions from existing kraft pulp mills which was submitted by the Governor on November 25, 1985. On September 12, 1984, EPA approved Arkansas' plan for controlling TRS from existing kraft pulp mills. As part of the plan the state agreed to submit the Compliance Schedules, in accordance with 40 CFR 60.24, for each of the seven affected mills, after public hearings were held as prescribed in § 60.23. The schedules specify final compliance dates and enforceable increments to be as expeditiously as practicable but not more than six years from approval of the state regulations; i.e., October 12, 1990.

EFFECTIVE DATE: This action will be effective on January 9, 1987 unless notice is received by December 10, 1986 that someone wishes to submit adverse or critical comments.

ADDRESSES: Written comments on this action should be addressed to Thomas

H. Diggs of the EPA Region 6, Air Programs Branch, SIP/New Source Section (address 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 6, Air Programs Branch (6T-AN), 1201 Elm Street, Dallas, Texas 75270

Arkansas Department of Pollution Control and Ecology, Division of Air Pollution Control, 8001 National Drive, Little Rock, Arkansas 72209

FOR FURTHER INFORMATION CONTACT:

Gregg C. Guthrie, Air Programs Branch, EPA Region 6, 1201 Elm Street, Dallas, Texas 75270, telephone (214) 767-1597, or (FTS) 729-1597. Reference Docket File Number AR-86-3.

SUPPLEMENTARY INFORMATION: On September 12, 1984, EPA approved (effective October 12, 1984) Arkansas' plan for controlling TRS emissions from existing kraft pulp mills pursuant to section 111(d) of the Clean Air Act (See 49 FR 35771). On November 25, 1985, the Governor of Arkansas, after adequate notice and public hearings, submitted the Compliance Schedules for the state's plan for controlling TRS emissions from the seven affected kraft pulp mills.

The Arkansas plan for controlling TRS emissions requires kraft pulp mills to comply with the emission limits as expeditiously as practicable, but not more than six years from approval of the

state regulations; i.e., October 12, 1990, as discussed in the Evaluation Report for the February 28, 1983, State 111(d) Plan submittal.¹ The mills were required to submit proposed compliance schedules to the Arkansas Department of Pollution Control and Ecology (ADCPE) for review. The schedules are required to include increments of progress, a description of control technology, and compliance test methods and test frequency for each emission source.

The ADPCE approved each schedule between the dates of July 29, 1985, and September 25, 1985. The State adopted the schedules to establish final compliance dates and enforceable increments of progress for TRS from the pulp paper industry.

EPA reviewed each schedule and developed an evaluation report,² which is based on the requirements of § 111(d) of the Clean Air Act of 1977, as amended and 40 CFR Part 60 Subpart B. This evaluation report is available for inspection by interested parties during normal business hours at the EPA Region 6 Office and the other addresses above.

Table 1 summarizes the final compliance dates of the applicable equipment for each of the seven affected mills.

¹ EPA Review of Arkansas' 111(d) plan for the Control of Total Reduced Sulfur from Kraft Pulp Mills and Addendum to EPA Review of Arkansas 111(d) Plan for Total Reduced Sulfur.

TABLE 1.—FINAL COMPLIANCE CERTIFICATION DATES

	Recovery furnace	Digester system	Multiple-effect evaporator system	Lime kiln	Black liquor oxidation system	Smelt dissolving tank
Arkansas Kraft Corp., Morrilton	Oct. 31, 1985	Dec. 31, 1989	In compliance	Dec. 31, 1989	N/A	Oct. 31, 1985.
Georgia Pacific Corp., Crossett	New source standard	Dec. 31, 1987	New source standard	New source standard	New source standard	New source standard.
International Paper Co., Camden	Sept. 30, 1988	July 30, 1988	July 30, 1988	July 30, 1988	N/A	July 30, 1988.
International Paper Co., Pine Bluff	Oct. 31, 1988	Oct. 31, 1988	Oct. 31, 1988	Oct. 31, 1988	Oct. 31, 1988 if needed	Jan. 31, 1986 or Dec. 31, 1987.
Nekoosa Paper Inc., Ashdown	July 31, 1990	July 31, 1987	July 31, 1987	New source standard	Dec. 30, 1988	In compliance.
Pottlatch Corp., McGehee	In compliance	In compliance	In compliance	In compliance	N/A	June 30, 1990.
Weyerhaeuser Paper Co., Pine Bluff	June 30, 1986	Feb. 28, 1989	Feb. 28, 1989	Feb. 28, 1989	N/A	Sept. 30, 1988 or June 30, 1986.

Final Action

By this notice, EPA is approving the Arkansas Compliance Schedule for the Control of TRS emissions from kraft pulp mills as meeting the requirements of section 111(d) of the Clean Air Act and of 40 CFR Part 60 Subpart B.

EPA has reviewed this addition to the Arkansas Plan for controlling TRS emission from kraft pulp mills and is approving it as submitted. This action is taken without prior proposal because the change is non-controversial and EPA anticipates no adverse comments on it. 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 of publication that someone wishes to submit adverse or critical comments, this action will be withdrawn and a subsequent notice will be published before the effective date. The subsequent notice will withdraw the final action and 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 January 9, 1986. This action may not be challenged later in proceedings to enforce its requirements (See 307(b)(2)).

Under 5 U.S.C. section 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.

List of Subjects in 40 CFR Part 62

Air pollution control, Fluoride, Sulfur, Administrative practice and procedure, Intergovernmental relations, Reporting and recordkeeping requirements, Phosphate, Aluminum, Fertilizers, Paper and paper products industry, Sulfuric oxides, Sulfuric acid plant.

Dated: October 17, 1986.

Lee M. Thomas,
Administrator.

PART 62—[AMENDED]

Part 62 of Chapter 1, Title 40 of the Code of Federal Regulations is amended as follows:

Subpart E—Arkansas

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

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

2. In Subpart E—Arkansas, a new § 62.866 is added to read as follows:

§ 62.866 Compliance schedule.

The Compliance Schedules were submitted on December 16, 1985, by the Governor to control total reduced Sulfur emissions from the seven kraft pulp

mills identified in § 62.865(a). The schedules specify final compliance dates and enforceable increments to be as expeditiously as practicable but not more than six years from approval of the state regulations; i.e., October 12, 1990.

[FR Doc. 86-25344 Filed 11-7-86; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 81

[A-6-FRL-3107-5]

Designation of Areas for Air Quality Planning Purposes; State of Texas; Nueces and San Patricio Counties for Ozone

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This notice approves the Texas Air Control Board (TACB) January 27, 1986, request to redesignate the ozone (O_3) nonattainment area of Nueces County and the unclassifiable area of San Patricio County to attainment. On April 18, 1986, the TACB submitted additional information to their request. EPA is also amending the Texas O_3 chart by adding one Air Quality Control Region (AQCR) numbered 218. AQCR 218 was inadvertently not included in the latest publication of Title 40 CFR. Therefore, EPA is requesting this AQCR be

* EPA Evaluation Report for the Compliance Schedules for the Control of Total Reduced Sulfur Emissions from Kraft Pulp Mills.