

Region X

HUD Field Office—Boise Office

Market area designation and local jurisdictions	1-family and condo unit	2-family	3-family	4-family
Blaine County, ID	\$91,200	\$102,700	\$124,800	\$144,000
Bonneville County, ID	\$70,300	\$79,150	\$96,200	\$111,000

Dated: July 24, 1989.

James E. Schoenberger,
General Deputy Assistant Secretary for
Housing—Federal Housing Commissioner.
[FR Doc. 89-17764 Filed 7-28-89; 8:45 am]
BILLING CODE 4210-27-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[FRL-3602-3]

Approval and Promulgation of Implementation Plans; Alaska

AGENCY: Environmental Protection
Agency.

ACTION: Final rule.

SUMMARY: EPA today approves amendments to the State Air Quality Control Plan for the State of Alaska as submitted by the Alaska State Department of Environmental Conservation (ADEC) on September 12, 1988. These amendments are to Chapter 52 of the Alaska Administrative Code, Emission Inspection and Maintenance Requirements for Motor Vehicles. EPA is approving these amendments because the changes will improve the operation and efficiency of the vehicle emission program in the State of Alaska.

EFFECTIVE DATE: This action will be effective on September 29, 1989, unless notice is received before August 30, 1989, that someone wishes to submit adverse or critical comments. If such notice is received, EPA will open a formal 30-day comment period on this action.

ADDRESSES: Copies of material submitted to EPA may be examined during normal business hours at the following locations:

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

Air Programs Branch, Environmental
Protection Agency, Docket 10A-88-8,
1200 Sixth Avenue AT-082, Seattle,
Washington 98101.

State of Alaska, Department of
Environmental Conservation, 3220
Hospital Drive, Juneau, Alaska 99811.

Comments should be addressed to:
Laurie M. Kral, Air Programs Branch
AT-082, Environmental Protection
Agency, 1200 Sixth Avenue (10A-88-8),
Seattle, Washington 98101.

FOR FURTHER INFORMATION CONTACT:
Michael Lidgard, Air Programs Branch
AT-082, Environmental Protection
Agency, 1200 Sixth Avenue, Seattle,
Washington 98101, Telephone: (206) 442-
4233, FTS: 399-4233.

SUPPLEMENTARY INFORMATION: The
Cities of Anchorage and Fairbanks
began their inspection and maintenance
(I/M) program on July 1, 1985. This
program requires owners of model year
1975 and newer cars and trucks to have
their vehicles annually inspected for
emission problems, or upon initial
registration in the State. EPA solicited
public comment on its proposed
approval of the Anchorage and
Fairbanks programs on March 10, 1986
(51 FR 7961) and March 7, 1986 (51 FR
8203 (3/10/86) and approved these
programs on September 15, 1986 (51 FR
32638). As a revision to the State of
Alaska Air Quality Control Plan, a new
State Regulation 18 AAC Chapter 52
(Emissions Inspection and Maintenance
Requirements for Motor vehicles) was
approved.

On September 12, 1988, ADEC
submitted amendments to its 18 AAC
Chapter 52 (Emission Inspection and
Maintenance Requirements for Motor
Vehicles). The amendments are
specifically to four sections of the
regulations. They are:

18 AAC 52.010 (Purpose and General Requirements)

(3) *Addition:* Requires owner of
registered vehicle to present a valid
certificate of inspection before renewing
registration.

(3b) *Addition:* The word "nonleased"
vehicles with an emission control
system must maintain that system is
added.

(3d) *Addition:* Requires use of
Maintenance Practices for individuals
who maintain, repair or service emission
control systems.

(3e) *Addition:* Registered owner may
register a vehicle or renew a vehicle
with the Department of Public Safety

only after obtaining a valid certification
of inspection.

(3g) *Addition:* Requires temporary
residency within the State for more than
90 days to obtain a certificate of
inspection for owner's vehicle.

18 AAC 52.020 (Vehicles Subject to This Chapter)

(1) *Addition:* Registration of a vehicle
by owner with temporary residency.

18 AAC 52.070 (Waivers)

(5)(A)-(C) *Addition:* Provisions for a
vehicle which has been modified to use
only natural gas, or a fuel that is
principally methane, liquefied petroleum
gas or a fuel that is principally propane.

18 AAC 52.900 (Definitions)

(14) *Addition:* Unauthorized
modifications means modifications that
have not been performed according to a
recall campaign or service bulletin
"authorized by a vehicle's
manufacturer" or "by the State of
Alaska Department of Environmental
Conservation."

I. EPA Action

Today EPA approves the following
revisions to the State of Alaska Air
Quality Control Plan since these
changes will improve the operational
procedures and will not affect the
program's effectiveness.

II. Administrative Review

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 on any or
all of these revisions approved herein,
the action on these revisions will be
withdrawn and two subsequent notices
will be published before the effective
date. One notice will withdraw the final
action on those revisions and another
will begin a new rulemaking by
announcing a proposal of the action on
these revisions and establish a comment
period.

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

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

Under section 307(b) 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 September 29, 1989. 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, Carbon monoxide, Hydrocarbons, Incorporation by Reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and Recordkeeping requirements, Sulfur oxides.

Date: April 21, 1989.

Robert S. Burd,

Acting Regional Administrator.

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

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

PART 52—[AMENDED]

Subpart C—Alaska

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

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

2. Section 52.70 is amended by adding paragraph (c)(15) to read as follows:

§ 52.70 Identification of plan.

(c) * * *

(15) On September 12, 1988, the State of Alaska Department of Environmental Conservation submitted revisions to AAC 18 Chapter 52 (Emission Inspection and Maintenance Requirements for Motor Vehicles). Those sections amended through June 2, 1988, are: 18 AAC 51.010 [Purpose and General Requirements] (a)(3), (b), (d), (e), and (g); 18 AAC 52.020 [Vehicles Subject to this Chapter] (1); 18 AAC 52.070 [Waivers] (5)(A) through (C); and 18 AAC 52.900 [Definitions] (14).

(i) Incorporation By Reference.
(A) September 12, 1988 letter from the State of Alaska Department of Environmental Conservation to EPA Region 10.

(B) Chapter 52 [Emissions Inspection and Maintenance Requirements for Motor Vehicles] section 52.010 [Purpose and General Requirements] (a)(3), (b),

(d), (e), and (g); section 52.020 [Vehicles Subject to This Chapter] (1); section 52.070 [Waivers] (5)(A) through (C); and section 52.900 [Definitions] (14) as adopted by the State of Alaska Department of Environmental Conservation on March 10, 1988.

3. Section 52.75 is revised to read as follows:

§ 52.75 Contents of the approved state-submitted implementation plan.

The following sections of the State Air Quality Control Plan (as amended on the dates indicated) have been approved and are part of the current State Implementation Plan:

Volume II: Analysis of Problems, Control Action

Section I. Background

- A. Introduction (7/1/82)
- B. Air Quality Control Regions (7/1/82)
- C. Attainment/Nonattainment Designations (7/1/83)

Section II. State Air Quality Control Program (11/1/83)

Section III. Areawide Pollutant Control Program

- A. Statewide Transportation Control Program (6/1/85)
- B. Anchorage Transportation Control Program (6/1/85)
 - B.10.1 through 10.6 Anchorage Air Pollution Curtailment Actions (6/26/87)
- C. Fairbanks Transportation Control Program (6/1/85)
 - C.10.1 through 10.9 Fairbanks Emergency Episode Prevention Plan (6/26/87)
- D. Total Suspended Particulate Matter (7/1/82)
- E. Ice Fog (7/1/82)
- F. Open Burning (10/30/83)
- G. Wood Smoke Pollution Control (7/1/83)
- H. Lead Pollution Control (7/1/83)

Section IV. Point Source Control Program

- A. Summary (10/30/83)
 - 1. Annual Review Report (10/30/83)
- B. State Air Quality Regulations (10/30/83)
- C. Local Programs (10/30/83)
- D. Description of Source Categories and Pollutants
 - 1. Typical Point Sources (10/30/83)
 - 2. Summary of Major Emitting Facilities (10/30/83)
- E. Point Source Control
 - 1. Introduction (10/30/83)
- F. Facility Review Procedures
 - 1. Who needs a permit? (10/30/83)
 - 2. Standard Application Procedures (10/30/83)
 - 3. PSD Application Procedures (10/30/83)
 - Preliminary report and meeting (10/30/83)
 - Pre-construction monitoring (10/30/83)
 - PSD application format (10/30/83)
 - 4. Nonattainment Application Procedures (10/30/83)
- G. Application Review and Permit Development (10/30/83)
 - 1. Application Review (10/30/83)

- 2. Permit Development Requirements (10/30/83)
- Monitoring and Testing Requirements (10/30/83)
 - Ambient Monitoring (10/30/83)
 - Continuous Emissions Monitoring (10/30/83)
 - Source Testing (10/30/83)
- 3. Prevention of Significant Deterioration Review (10/30/83)
 - Basis of Program (10/30/83)
 - PSD Regulations (10/30/83)
 - PSD Analysis (10/30/83)
- 4. Nonattainment Area Review (10/30/83)
- 5. New Source Performance Standards
 - Source Review (10/30/83)
- 6. Visibility Review (10/30/83)
- 7. Sources under EPA Review (10/30/83)
- H. Permit Issuance Requirements (10/30/83)

Section V. Ambient Air Monitoring

- A. Purpose (7/1/82)
- B. Completed Air Monitoring Projects (7/1/82)
 - 1. Carbon Monoxide (7/1/82)
 - 2. Nitrogen Oxides (7/1/82)
 - 3. Sulfur Dioxide (7/1/82)
 - 4. Ozone (7/1/82)
 - 5. Total Suspended Particulates (TSP) (7/1/82)
 - 6. Lead (7/1/82)
- C. Air Monitoring Network (7/1/82)
 - 1. Network Description (7/1/82)
 - 2. Station Designations (7/1/82)
 - 3. Air Quality Monitoring Procedures (7/1/82)
 - 4. Ambient Sampling for Specific Pollutants (7/1/82)
- E. Annual Review (7/1/82)

Volume III. Appendices

Section II. State Air Quality Control Program

- II.A. State Air Statutes, except Section 46.03.170 (11/15/83)
 - State Attorney General Opinions on Legal Authority—(2/29/72, 2/29/80)
- Title 18 Environmental Conservation, Chapter 50. Air Quality Control (10/30/83), (6/7/87)
- TITLE 18 Environmental Conservation, Chapter 52 Emissions Inspections and Maintenance Requirements for Motor Vehicles (5/19/85), (6/2/88)
- II.B. Municipality of Anchorage/Cook Inlet ADEC Agreements (11/15/83)
- II.C. Fairbanks North Star Borough Ordinances, except Section 8.04.070/FNSB & ADEC Agreements (11/15/83)

Section III. Areawide Pollutant Control Program

- III.B.3-a Anchorage Graphs of Highest and Second Highest CO readings for Each Site (11/15/83)
- III.B.5-a Anchorage Traffic Improvements (11/15/83)
- III.B.5-b Anchorage Contingency Plan (11/15/83)
- III.B.5-c Anchorage Transit Ridership (11/15/83)
- III.B.8-a Anchorage Graphs of Projected CO Concentrations for Each Site (11/15/83)
- III.G. Ordinance of the City and Borough of Juneau (10/6/83)

III.H Support Documents for Lead Plan (11/15/83)

Section IV. Point Source Control Program

IV.1 PSD Area Classification and

Reclassifications (11/15/83)

A. Class I Area Boundaries (11/15/83)

B. Areas Protected from Visibility Degradation (11/15/83)

C. Reclassification (11/15/83)

1. Limitations on PSD Reclassification (11/15/83)

2. PSD Reclassification Procedures (11/15/83)

IV.2 Compliance Assurance (11/15/83)

IV.3 Testing Procedures (11/15/83)

Section V. Ambient Air Monitoring

ADEC Ambient Analysis Procedures (11/15/83)

83)

[FR Doc. 89-17737 Filed 7-28-89; 8:45am]

BILLING CODE 6560-50-M

40 CFR Parts 52 and 81

[FRL-3621-8]

Approval and Promulgation of Air Quality Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Missouri—Approval of Missouri's PM₁₀ State Implementation Plan (SIP)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rulemaking takes final action to approve Missouri's PM₁₀ SIP. Missouri developed a PM₁₀ SIP in response to EPA's 1987 promulgation of a new ambient air quality standard for particulate matter. The new standard includes only those particles nominally smaller than 10 micrometers (PM₁₀). The particulate emission control regulations presently contained in Missouri's approved SIP are not altered by this action because there is a high probability that all areas of the state are presently attaining the PM₁₀ air quality standard without additional particulate matter controls.

This rulemaking also redesignates certain areas of Missouri from nonattainment for total suspended particulates (TSP) to unclassifiable.

EFFECTIVE DATE: This action will become effective on September 29, 1989 unless notice is received by August 30, 1989 that someone wishes to submit adverse or critical comments. If the effective date is delayed, timely notice will be published in the *Federal Register*.

ADDRESSES: Copies of the documents relevant to this action are available for public inspection during normal business hours at:

Environmental Protection Agency,
Region VII, Air Branch, 726 Minnesota
Avenue, Kansas City, Kansas 66101
Missouri Department of Natural
Resources, Air Pollution Control
Program, Jefferson State Office
Building, 205 Jefferson Street,
Jefferson City, Missouri 65101
Public Information Reference Unit,
Environmental Protection Agency, 401
M Street, SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT:
Dwayne E. Durst at (913) 236-2893 (FTS
757-2893).

SUPPLEMENTARY INFORMATION:

Background

On July 1, 1987 (52 FR 24634), EPA promulgated a new National Ambient Air Quality Standard (NAAQS) for particulate matter. The new standard applies only to particles with a nominal aerodynamic diameter of 10 micrometers or less (PM₁₀). The new standard replaces total suspended particulates (TSP) as an ambient air quality standard.

In order for states to regulate PM₁₀, they must make certain changes in their rules and regulations and in the SIPs. The changes to the rules and the SIP must ensure that the PM₁₀ NAAQS are attained and maintained; that new and modified sources which emit PM₁₀ are reviewed; that PM₁₀ is one of the pollutants to trigger alert, warning, and emergency actions; and that the state's monitoring network be designed to include PM₁₀ monitors. These changes must be made regardless of the existing levels of PM₁₀ in any area of the state.

Where existing TSP and PM₁₀ monitoring data indicate there is a high probability that PM₁₀ standards are being exceeded in an area, a control strategy is required to show how PM₁₀ emissions will be reduced to provide for attainment and maintenance of the PM₁₀ NAAQS. This is called a group I area. If the existing data show there is a lower probability that PM₁₀ standards are being exceeded in an area, the states are required to commit to perform additional PM₁₀ monitoring in that area and to prepare a control strategy if the data show with certainty that the standards are being exceeded. This is called a group II area. The commitments must be submitted in the form of a SIP revision and are termed a "committal" SIP.

If available particulate matter data indicate the PM₁₀ air quality is better than the standards, EPA presumes that the existing SIP is adequate to demonstrate attainment and maintenance of the PM₁₀ standards. This is termed a group III area.

The regulations call for the PM₁₀ SIPs to be submitted nine months after the federal PM₁₀ regulations went into effect on July 31, 1987. However, because of the burdensome administrative requirements for adoption of rules in some states, they were given some flexibility in the scheduling of their PM₁₀ SIP submissions.

PM₁₀ Attainment Status in Missouri

Based upon existing TSP and PM₁₀ air quality data, there are no areas in Missouri where the PM₁₀ standards are likely to be exceeded. Thus, the entire state of Missouri has been placed in the group III PM₁₀ category. Therefore, based on available data and in accordance with the Clean Air Act and EPA regulations, Missouri must meet the following requirements in order for EPA to approve its SIP for PM₁₀: (1) Adopt acceptable revisions to its preconstruction review rules, (2) revise the emergency episode rules to incorporate PM₁₀, and (3) revise the air quality monitoring plan to provide for sampling of PM₁₀ in ambient air.

Missouri's PM₁₀ SIP Submittal

Missouri developed its PM₁₀ SIP in three separate parts. These were: (1) Revisions to the air quality monitoring plan, (2) revisions to the Missouri rules to incorporate PM₁₀ in the following provisions: air quality standards, definitions, reference methods for ambient sampling, permit rules, and emergency episode plans, and (3) a separate narrative SIP revision which explains the entire process for regulating PM₁₀ in Missouri. Separate hearings were held for each of the three parts described above. The hearing on the air monitoring plan was held March 17, 1988, and the plan was submitted to EPA on March 29, 1988. The hearing on the amendments to the Missouri administrative rules was held February 18, 1988; the rules became effective April 28, 1988; and they were submitted to EPA on May 12, 1988. The hearing on the narrative plan was held May 19, 1988, and it was submitted to EPA on June 15, 1988.

Review of the Missouri PM₁₀ Submittal

The Missouri submittal has been reviewed to determine if it meets the requirements of the Clean Air Act, EPA regulations, and applicable policies. The regulations most pertinent to this rulemaking are found in the July 1, 1987, *Federal Register* (52 FR 24672). The July 1, 1987, regulation is supplemented with EPA policy contained in a PM₁₀ SIP Development Guideline (EPA-450/2-86-

001) dated July 1987 with a supplement dated June 1988.

The state of Missouri held three public hearings as described above on the various portions of its PM₁₀ SIP submittal. Comments on the proposed rules are summarized and state responses provided in the Missouri Register of April 18, 1988, where the final rule is printed. Certifications that the hearings took place were submitted with each portion of the PM₁₀ SIP.

The state resources needed to implement the PM₁₀ SIP for Missouri are contained in the annual State/EPA Agreement (SEA) signed by the Director of the Missouri Department of Natural Resources and the Regional Administrator of EPA Region VII. Because there are no group I areas in Missouri, implementation of the PM₁₀ SIP will not involve a new control strategy for particulate matter in the state. Rather, it will involve continued enforcement of existing particulate matter emission regulations, review of new sources for PM₁₀ and TSP, and operation of air monitoring network composed of both TSP and PM₁₀ monitors. All of these activities are covered in the SEA.

Missouri followed legal notice requirements when announcing the public hearings on various portions of the PM₁₀ SIP. Local control agencies, adjoining states, EPA, local planning agencies, elected officials, and the public were officially notified of the PM₁₀ hearing. No significant new planning requirements are involved in the PM₁₀ SIP development or in its implementation in Missouri and, therefore, this revision imposed no new requirements under subpart M of 40 CFR Part 51, Intergovernmental consultation.

Missouri rule 10 CSR 10-6.110 provides the authority to require sources to record and submit information on emissions of air contaminants in order to determine if the sources are in compliance with applicable emission regulations. This rule is presently approved as part of the Missouri SIP. This same rule also requires that emission data collected by the state must be made available to the public. The state also has authority to require installation and maintenance of continuous emission monitoring devices and to require reporting the data it collects in a specified format.

As a basis for implementing the PM₁₀ requirements in Missouri, the state adopted PM₁₀ as an ambient air quality standard in its rule 10 CSR 10-6.010. The state also adopted by reference EPA regulation 40 CFR Part 50, Appendix J, Reference Method for the Determination as PM₁₀ in the Atmosphere, and 40 CFR

Part 50, Appendix K, Interpretation of the National Ambient Air Quality Standards for Particulate Matter. State adoption of air quality standards is not a requirement of the Clean Air Act. However, EPA is approving the state's adoption of a PM₁₀ ambient air quality standard because it is an integral part of the state's plan to maintain the federal standard.

Missouri revised its definition of particulate matter by adding two subsections, one being TSP and the other particulate matter—10 micron (PM₁₀). The subsection for TSP references 40 CFR Part 50, Appendix B, Reference Method for the Determination of Suspended Particulates in the Atmosphere. The subsection for PM₁₀ references 40 CFR Appendix J. Thus, the state has adopted rules which are consistent with EPA's definitions of particulate matter, TSP, and PM₁₀.

Missouri did not adopt definitions for particulate matter emissions or PM₁₀ emissions. It contends that its rules make a clear distinction between particulate matter and PM₁₀ in the ambient air and emissions of these pollutants. After reviewing Missouri rule 10 CSR 10-6.060, Permits Required, and more specifically subsections (1)(A) and (7)(A), and Table 1 of this rule, EPA agrees that major new and modified sources in Missouri must be reviewed for particulate matter emissions and PM₁₀ emissions.

The Missouri SIP is presently approved as meeting the requirements of 40 CFR Part 51 for review of new and modified sources. This includes all the requirements of 40 CFR Subpart 51.165, Permit Requirements, and 40 CFR Subpart 51.166, Prevention of Significant Deterioration of Air Quality (PSD).

Missouri revised its rule 10 CSR 10-6.060, Permits Required, by adding TSP emissions and PM₁₀ emissions to the list of pollutants which trigger PSD review of major new and modified sources. Missouri requested that all areas of the state which are presently designated nonattainment for TSP be redesignated to unclassified. That redesignation is part of this rulemaking. Therefore, all areas of the state will either be designated as attainment or unclassified for TSP, and the PSD regulations will apply for TSP throughout the state.

The state has exempted sources from preapplication monitoring of PM₁₀ and TSP if the projected or existing ambient concentration of those pollutants are less than 10 µg/m³, 24-hour average.

Missouri rule 10 CSR 10-6.060(5)(B) requires the installation of best available control technology for particulate matter emissions and PM₁₀ emissions on each major source, if the

source has the potential to emit significant amounts of those pollutants. The same requirements apply to major modifications if there would be a significant net emission increase at the sources. The significance levels for TSP and PM₁₀ are identified in Missouri rule 10 CSR 10-6.060, Subsection (7)(A), Table 1.

Missouri's rule 10 CSR 10-6.060(3)(A)2. allows a permit to be issued to a new or modified source only if the source will not interfere with attainment or maintenance of ambient air quality standards. This provision satisfies the requirements of 40 CFR Part 51.165(b).

Missouri rule 10 CSR 10-6.060(5)(C)3. prohibits major proposed sources and modifications from causing, in conjunction with other applicable emission increases or decreases, an increase in TSP ambient levels above the applicable PSD increments. The increments are contained in state rule 10 CSR 10-6.060(7)(E), Table 5. The table has been revised to clarify that the Class I, II, and III increments apply to TSP. State rule 10 CSR 10-6.060(8)(H)2. has been revised to clarify that the PSD increment for sources impacting federal mandatory Class I areas can receive an air quality increment variance if the TSP increase is consistent with 40 CFR Part 51.166(P)(4). State rule 10 CSR 10-6.060(8)(H)(2) as revised is acceptable.

Missouri rule 10 CSR 10-6.060(5)(C) requires that sources analyze the ambient air quality in the area a new source would impact, and this analysis would include both PM₁₀ and TSP matter. This satisfies the requirements of 40 CFR Part 51.155m (i), (ii), and (iii).

Emergency Episode Plans

Missouri revised its rule 10 CSR 10-6.130, Controlling Emissions During Episodes of High Air Pollution Potential, so that the rule is consistent with 40 CFR Part 51, Appendix L, in all respects. There are no group I PM₁₀ areas in Missouri, so new contingency plans for emergency episodes have not been developed. The state of Missouri, the city of St. Louis, St. Louis County, and Kansas City developed contingency plans for major sources in their jurisdictions in the early 1970s. These plans require curtailment of activities which emit particulate matter during an episode without regard to the particle size of the material. The plans will now be activated by elevated levels of PM₁₀ rather than TSP. Requirements for PM₁₀ episode monitoring are contained in Missouri's revised monitoring SIP, which is described below.

Missouri rule 10 CSR 10-6.130 contains provisions which require the Director of the Missouri Air Program to take certain actions at the various episode levels. These actions are consistent with the source curtailment Tables I, II, and III of 40 CFR Part 51, Appendix L. Missouri's PM₁₀ emergency episode plan is acceptable.

After reviewing the Missouri PM₁₀ SIP submission, it has been determined that it meets all the requirements of the CAA, EPA regulations, and policies and is, therefore, approvable as part of the Missouri SIP. The existing emission control regulations pertaining to particulate matter and visible emissions are not altered by this action, and all such regulations presently contained in Missouri's SIP remain in effect.

EPA Action: Missouri's PM₁₀ SIP is approved. Specifically, this action approves revisions to Missouri's rules 10 CSR 10-6.010, Ambient Air Quality Standards; 10 CSR 10-6.020, Definitions; 10 CSR 10-6.040, Reference Methods; 10 CSR 10-6.060, Permits Required, and 10 CSR 10-6.130, Controlling Emissions During Episodes of High Air Pollution Potential. These revisions became effective April 28, 1988.

Redesignation of TSP Nonattainment Areas

The final rulemaking of July 1, 1987 (52 FR 24682), promulgating the PM₁₀ standard discussed an area redesignation policy with respect to TSP. The policy encouraged states to request redesignation of TSP nonattainment areas to unclassifiable for TSP at the time they submit their PM₁₀ control strategies. The rulemaking stated that when EPA approves the control strategy as sufficient to attain and maintain the PM₁₀ NAAQS, the redesignation will also be approved. An area designation for TSP must be retained until EPA promulgates PM₁₀ increments, because the PSD increment system for TSP must be utilized until then. The TSP increment system depends on the existence of section 107 designations. Once states have PM₁₀ SIPs in place and EPA promulgates PM₁₀ increments, the TSP designations can be eliminated. No other regulatory provisions of the Clean Air Act or EPA regulations are any longer tied to the TSP designations, so states are not required to justify their TSP redesignation requests.

Missouri requested that all areas of the state which are presently designated nonattainment for TSP be redesignated to unclassified. This request was contained in section (4)(d) of Missouri's PM₁₀ SIP submittal on June 15, 1988. Because there are no group I or group II areas in Missouri, it is presumed that the

existing particulate matter SIP is adequate to demonstrate attainment and maintenance of the PM₁₀ standards. The state has identified its existing particulate matter SIP in its submission. This is essentially a listing of all state rules for controlling particulate matter. Therefore, the existing SIP is deemed adequate to attain and maintain the PM₁₀ air quality standards. Missouri's request to redesignate all TSP nonattainment areas to unclassified is acceptable.

Specifically, there are areas in the city of St. Louis and the city of St. Joseph which are presently designated primary nonattainment for TSP. There are also areas of St. Louis, St. Joseph, and Kansas City which are designated secondary nonattainment for TSP. All of these areas are hereby redesignated to unclassified for TSP. These areas are more specifically identified in 40 CFR Part 81, Subpart C, § 81.326.

EPA Action: EPA approves Missouri's request to redesignate TSP nonattainment areas to unclassifiable.

PM₁₀ Monitoring

Missouri's monitoring SIP was originally approved by EPA in September 1984 as meeting the requirements of 40 CFR 58.20. For the most part, the monitoring SIP is generic and does not contain references to any of the criteria pollutants. However, the monitoring SIP was revised to substitute PM₁₀ or particulate matter for those instances where TSP was mentioned in the originally approved plan. The revisions made in the Missouri monitoring SIP are acceptable.

EPA Action: EPA approves Missouri's Air Quality Monitoring Plan (revised 1988).

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 September 29, 1989 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 September 29, 1989.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any SIP. Each

request for revision to the SIP shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

This action has been classified as a Table 3 action by the Regional Administrator under the procedures published in the *Federal Register* on January 19, 1989 (54 FR 2214-2225). On January 6, 1989, the Office of Management and Budget waived Table 2 and 3 SIP revisions (54 FR 2222) from the requirements of section 3 of Executive Order 12291 for a period of two years.

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

Under section 307(b)(1) of the Act, as amended, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by September 29, 1989. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects

40 CFR Part 52

Air pollution control, Incorporation by reference, and Particulate matter.

40 CFR Part 81

Air pollution control, National parks, Wilderness areas.

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

Date: July 11, 1989.

Morris Kay,
Regional Administrator.

PART 52—[AMENDED]

40 CFR Part 52 is amended as follows:

Subpart AA—Missouri

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

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

2. Section 52.1320 is amended by adding a new paragraph (c)(66) to read as follows:

§ 52.1320 Identification of plan.

* * * * *

(c) * * *

(66) The Missouri Department of Natural Resources submitted revisions to its state implementation plan to incorporate PM₁₀ on March 29, 1988, May 12, 1988, and June 15, 1988.

(i) Incorporation by reference.

(A) Revisions to the following

Missouri air pollution rules:

- 10 CSR 10-6.010 Ambient Air Quality Standards
 10 CSR 10-6.020 Definitions
 10 CSR 10-6.040 Reference Methods
 10 CSR 10-6.060 Permits Required
 10 CSR 10-6.130 Controlling Emissions

During Episodes of High Air Pollution Potential

These rules were published in the Missouri Register on April 18, 1988, and became effective April 28, 1988.

(ii) Additional material

(A) A revision to the Missouri Monitoring Plan was submitted March 29, 1988.

(B) A narrative description of the PM₁₀ SIP for the state of Missouri was submitted June 15, 1988.

§ 52.1332 [Amended]

3. The table in § 52.1332, Attainment dates for national standards is revised to read as follows:

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Ozone
	Primary	Secondary	Primary	Secondary			
Metropolitan Kansas City Interstate.....	b	e	d	d	d	5/31/75	b
Southwest Missouri Intrastate.....	a	a	d	d	d	d	d
Southeast Missouri Intrastate.....	d	d	d	d	d	d	d
Northern Missouri Intrastate.....	a	a	d	d	d	d	d
Metropolitan St. Louis Interstate.....	b	e	d	d	d	c	c

Note: Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) prior to the 1977 Clean Air Act Amendments remain obligated to comply with these requirements by the earlier deadlines. The earlier attainment dates are set out at 40 CFR Part 52 (1978) § 52.1332. Only portions of those AQCRs with attainment dates after July 1975 have new attainment dates under the 1977 Clean Air Act Amendments. The reader is referred to 40 CFR Part 81 for identification of the designated areas under section 107(d) of the Act.

a. July 1975.

b. December 31, 1982.

c. December 31, 1987.

d. Air quality levels presently below secondary standards.

e. Secondary standard attainment date to be determined by secondary attainment plan.

PART 81—[AMENDED]

Part 81 of Chapter I, Title 40

40 CFR Part 81, Chapter C, is amended as follows:

Subpart C—Missouri

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

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

§ 81.326 [Amended]

2. Section 81.326, Missouri, is amended by revising the first three entries in the status designation table for TSP to read as follows:

MISSOURI—TSP

Designated area	Does not meet primary standards	Does not meet secondary standards	Cannot be classified	Better than national standards
St. Louis AQCR (070):				
St. Louis (an area extending west about 2 miles from the Mississippi River, north to near I-270 and south to about 1 mile beyond the city limits			X	
Remainder of the city of St. Louis.....			X	
Remainder of AQCR.....				X
Kansas City AQCR (094):				
Kansas City (an area extending approximately from the Kansas state line east along Red Bridge Road and 115th Street to Missouri Highway 291, then north to I-70, east to Missouri Highway 7, north to U.S. Highway 24 west to Missouri Highway 291, north to Missouri Highway 152, west to Missouri Highway 9, south to U.S. Highway FF, and due south to the state line)			X	
St. Joseph: Within city limits			X	

[FR Doc. 89-17736 Filed 7-28-89 8:45 am]

BILLING CODE 6560-50-M

ACTION: Interim rule with request for comments.

SUMMARY: The Office of the Secretary, Department of Health and Human Services is amending its acquisition regulation to implement Procurement Integrity, section 6 of the Office of Federal Procurement Policy (OFPP) Act Amendments of 1988, Pub. L. 100-679 and the Federal Acquisition Regulation (FAR) coverage at FAR 3.104.

DATES: Effective Date: July 31, 1989.

Comment Date: Comments must be received by September 14, 1989.

ADDRESS: Any person or organization wishing to submit data, views, or comments pertaining to the interim rule may do so by filing them with Norman Audi, Division of Acquisition Policy, OAGM-OMAC-OASMB, Room 517D, Hubert H. Humphrey Building, 200 Independence Avenue SW., Washington, DC 20201.

FOR FURTHER INFORMATION CONTACT: Norman Audi, (202) 245-0326.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

48 CFR Part 303

Procurement Integrity

AGENCY: Office of the Secretary, HHS.