

TABLE OF EXEMPT PRESCRIPTION PRODUCTS—Continued

Company	Trade Name	NDC Code	Form	Controlled Substance	(mg or mg/ml)
Wallace Laboratories	Milprem-400	00037-5401	TB	Meprobamate	400.00
Wesley Pharmacal Co	Hydrophen	00917-0244	TB	Phenobarbital	16.20
Wesley Pharmacal Co	Pulsaphen Gray	00917-0113	TB	Phenobarbital	15.00
Wesley Pharmacal Co	Wescophen-S	00917-0135	TB	Phenobarbital	30.00
Wesley Pharmacal Co	Wesmatic Forte	00917-0845	TB	Phenobarbital	8.00
Westward Inc.	Belladonna Alkaloids & Phenobarbital	00143-1140	TB	Phenobarbital	16.20
Westward Inc.	Butalbital with Acetaminophen and Caffeine Tablets	00143-1787	TB	Butalbital	50.00
Westward Inc.	Theophylline Ephedrine & Phenobarbital	00143-1695	TB	Phenobarbital	8.00
Winthrop Labs	Isuprel	00024-0874	EL	Phenobarbital	0.40
Zenith Labs Inc.	Azpan	00172-3747	TB	Phenobarbital	8.00

Dated: March 5, 1990.

Gene R. Haislip,

Deputy Assistant Administrator, Office of
Diversion Control, Drug Enforcement
Administration.

[FR Doc. 90-5492 Filed 3-9-90; 8:45 am]

BILLING CODE 4410-09-M

21 CFR Part 1308

Schedules of Controlled Substances
Placement of N,N-
Dimethylamphetamine Into Schedule I;
CorrectionAGENCY: Drug Enforcement
Administration, Justice.

ACTION: Final rule; correction.

SUMMARY: This document corrects the final order published on Friday, February 2, 1990 (55 FR 3586) by which the Administrator of the Drug Enforcement Administration placed the stimulant substances N,N-dimethylamphetamine into Schedule I of the Controlled Substances Act (CSA) (21 U.S.C. 801 *et seq.*). Section 1308.11 of title 21 of the Code of Federal Regulations is corrected to add N,N-dimethylamphetamine as paragraph (f)(4) instead of (f)(3).

EFFECTIVE DATE: March 12, 1990.**FOR FURTHER INFORMATION CONTACT:**Howard McClain, Jr., Chief, Drug
Control Section, Drug Enforcement
Administration, Washington, DC 20537,
Telephone: (202) 307-7183.

SUPPLEMENTARY INFORMATION: N,N-dimethylamphetamine was placed into Schedule I of the Controlled Substances Act pursuant to 21 U.S.C. 811(a) by the Administrator of the Drug Enforcement Administration in a final order published in the Federal Register on February 2, 1990 (55 FR 3586). It was listed as a stimulant in paragraph (f)(3) of § 1308.11 of title 21 of the Code of Federal Regulations. The substance 4-methylaminorex which was placed into Schedule I of the CSA on April 13, 1989

(54 FR 14799) was already listed as paragraph (f)(3) in 21 CFR 1308.11. Therefore, N,N-dimethylamphetamine should be listed as paragraph (f)(4) of 21 CFR 1308.11. Accordingly, the amendatory language on page 3588 of the final order published on February 2, 1990, is corrected as follows:

PART 1308—[AMENDED]

1. The authority citation for 21 CFR part 1308 continues to read as follows:

Authority: 21 U.S.C. 811, 812, 871(b).

2. Section 1308.11 is amended by adding paragraph (f)(4) as follows:

§ 1308.11 Schedule I.

* * *

(f) * * *

(4) N,N-dimethylamphetamine (also known as N,N-alpha-trimethyl-benzeneethanamine; N,N-alpha-trimethylphenethylamine), 1480.

Dated: March 5, 1990.

John C. Lawn,
Administrator, Drug Enforcement
Administration.

[FR Doc. 90-5566 Filed 3-9-90; 8:45 am]

BILLING CODE 4410-09-M

**DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT****Office of the Assistant Secretary for
Housing-Federal Housing
Commissioner****24 CFR Part 885**

[Docket No. R-90-1469; FR-2536-F-01]

RIN 2502-AE58

**Loans for Housing for the Elderly or
Handicapped Duration of Section 202
Fund Reservations**AGENCY: Office of the Assistant
Secretary for Housing—Federal Housing
Commissioner, HUD.

ACTION: Final rule.

SUMMARY: This final rule amends HUD's regulations governing projects that receive direct loans under section 202 of the Housing Act of 1959 to permit HUD's regional offices to extend the duration of fund reservations by an additional 12 months under described circumstances. This rule also adds procedures governing the appeal of HUD decisions to cancel loan reservations for section 202 projects receiving section 8 assistance, as required under section 161(e) of the Housing and Community Development Act of 1987 (Pub. L. 100-242, approved February 5, 1988). These appeals procedures are the same as those currently in effect for projects for nonelderly handicapped families and individuals.

EFFECTIVE DATE: This rule is effective on April 12, 1990, except for § 885.230(b), which will not be effective until approval of the information collection requirements in that section and issuance of an approval number by the Office of Management and Budget (OMB). HUD will publish a separate notice announcing the effective date of those sections and the OMB approval number.

FOR FURTHER INFORMATION CONTACT:

For Section 202/Section 8 projects:
Robert Wilden, Assisted Elderly and
Handicapped Housing Division, Office
of Elderly and Assisted Housing, room
6116. Telephone (202) 426-8730.

For projects for nonelderly
handicapped families and individuals:
Margaret Milner, Office of Elderly and
Handicapped Housing, room 6114.
Telephone (202) 755-3287. Department of
Housing and Urban Development, 451
Seventh Street, SW., Washington, DC
20410. Hearing- or speech-impaired
individuals may call HUD's TDD
number (202) 755-3938. (These telephone
numbers are not toll-free numbers.)

SUPPLEMENTARY INFORMATION: The
information collection requirements
contained in this rule have been

submitted to the Office of Management and Budget (OMB) for review under the Paperwork Reduction Act of 1980. Expedited review has been requested by April 6, 1990, so that the application process described in this rule may be carried out following OMB approval of the necessary collections of information.

Pending approval of these collections of information by OMB and the assignment of an OMB control number, no person may be subjected to a penalty for failure to comply with these information collection requirements. The OMB control number, when assigned, will be announced by separate notice in the *Federal Register*, at the same time that the rule's effective date is published.

Public reporting burden for the collection of information requirements contained in this rule are estimated to include the time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Information of the estimated public reporting burden is provided under the preamble heading "Other Matters". Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Department of Housing and Urban Development, Rules Docket Clerk, 451 Seventh Street, SW., room 10276, Washington D.C. 20410; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.

HUD's regulations governing projects that receive direct loans under section 202 of the Housing Act of 1959 and housing assistance under section 8 of the United States Housing Act of 1937 are found at 24 CFR part 885, subpart B. Regulations for projects that receive direct loans under section 202 to serve nonelderly handicapped families and individuals are found at 24 CFR part 885, subpart C. This revises both subparts with respect to the duration of the section 202 fund reservations. It also amends subpart B to add procedures governing the appeal of decisions to cancel loan reservations, as required under section 161(e) of the Housing and Community Development Act of 1987 (Pub. L. 100-242, approved February 5, 1988).

I. Cancellation of the Fund Reservation

Under existing §§ 885.230 and 885.770, the field office, subject to the approval of the Assistant Secretary, is permitted to cancel a fund reservation at any time if it can be established that the Borrower is not making satisfactory

progress toward the start of construction, rehabilitation, or acquisition. The field office is required to cancel a fund reservation if construction is not begun within 18 months after the issuance of the fund reservation, but may extend this time period up to six additional months.

HUD has found that many Borrowers are not able to start construction, rehabilitation or acquisition within the 24 month period permitted under the current regulations due to reasons beyond the Department's or the Borrower's control. (For example, such activities are often delayed by litigation involving the Borrower or the Department, or the Borrower's inability to proceed due to local opposition or a lack of cooperation with local governments.) To ensure that such projects are not prematurely terminated, this rule revises §§ 885.230 and 885.770 to permit the HUD regional office to extend the period within which the project is begun up to 36 months after the notice of section 202 fund reservation is issued. Under the rule as revised, the HUD regional office may grant an extension beyond 24 months if the delay has been for reasons beyond the Borrower's control; the Borrower has done everything within its power to resolve the problems causing the delay; all major problems have been resolved, or there is good reason to expect prompt resolution; and there is good reason to expect the start of construction, rehabilitation, or acquisition with or without rehabilitation to begin within the extension period.

II. Appeal of Fund Reservation Cancellation

Section 202(n) of the Housing Act of 1959 (as added by section 161(e) of the Housing and Community Development Act of 1987 (Pub. L. 100-242, approved February 5, 1988)) provides that the Secretary shall notify the project sponsor not less than 30 days prior to cancelling any loan authority provided under this section. During the 30-day period following the receipt of the notice, the sponsor is permitted to appeal the proposed cancellation of loan authority. Such appeal, including review by the Secretary, must be completed not later than 45 days after the appeal is filed.

The final rule adds procedures (in § 885.230(b)) for the appeal of the cancellation of loan authority with respect to projects for the elderly or handicapped. These procedures are identical to those (in § 885.770(b)), currently applicable to projects for nonelderly handicapped families. The

rule provides that if HUD determines that a fund reservation must be cancelled, the field office must mail a notice of loan cancellation to the Borrower by certified mail, return receipt requested. The notice of cancellation will describe the reasons for the cancellation of the loan authority, will advise the Borrower that it may file an appeal within 30 days of the receipt of the notice, and will state that failure to file an appeal will result in the cancellation of the fund reservation upon the expiration of the 30-day period.

If the Borrower files a timely appeal, HUD headquarters will review the appeal and will issue a decision within 45 days of the receipt of the appeal. The standard for approval of the appeal is the same as that prescribed for the extension of the fund reservation (*i.e.*, The Borrower must demonstrate that it is making satisfactory progress toward the start of construction, rehabilitation or acquisition with or without substantial rehabilitation.) The rule provides that HUD will provide a written notification to the Borrower of its determination on appeal. If the appeal is granted, the notification will include the duration of the extended fund reservation.

III. Final Rule

HUD has determined that notice and prior public comment on this rule is unnecessary and that good cause exists for making this rule effective as soon as possible after publication. By permitting HUD's regional offices to extend the duration of fund reservations by an additional 12 months, the final rule will increase the flexibility of the program and will have a beneficial impact on Borrowers whose projects are delayed by circumstances beyond the Borrower's or HUD's control. To the extent that the rule addresses appeals of cancellations of fund reservations, the rule primarily implements statutorily imposed procedural requirements of a technical nature.

IV. Other Matters

A Finding of No Significant Impact with respect to the environment has been made in accordance with HUD regulations at 24 CFR part 58, which implement section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. 4332. The Finding of No Significant Impact is available for public inspection between 7:30 a.m. and 5:30 p.m. weekdays in the office of the Rules Docket Clerk, at the above address.

This rule does not constitute a "major rule" as that term is defined in section

1(d) of the Executive Order on Federal Regulations issued by the President on February 17, 1981. An analysis of the rule indicates that it does not (1) have an annual effect on the economy of \$100 million or more; (2) cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or (3) have a significant adverse effect on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

In accordance with 5 U.S.C. 605(b) (the Regulatory Flexibility Act), the undersigned hereby certifies that this rule does not have a significant

economic impact on a substantial number of small entities. While the rule will have a beneficial impact on Borrowers whose projects are delayed by circumstances beyond the Borrower's or HUD's control, the number of small entities affected should be small.

The General Counsel, as the Designated Official under Executive Order No. 12606—The Family, has determined that the rule will not have a significant impact on the family. The final rule amends provisions governing the extension and cancellation of loan reservations under the section 202/8 program and will have little, if any, impact on family formation, maintenance or well-being.

The General Counsel, as the Designated Official under section 6(a) of Executive Order No. 12611—Federalism,

has determined that the final rule does not involve the preemption of State law by Federal statute or regulation, and does not have federalism implications. The final rule amends provisions governing the extension and cancellation of loan reservations made by HUD to non-profit Borrowers under the section 202/8 program and will not have any direct impact on the States.

The collection of information requirements contained in this rule have been submitted to OMB for review under section 3504(h) of the Paperwork Reduction Act of 1980. Section 885.230(b) of this final rule has been determined by the Department to contain collection of information requirements. Information on these requirements is provided as follows:

TABULATION OF ANNUAL REPORTING BURDEN, FINAL RULE—SECTION 202 HOUSING FOR THE ELDERLY OR HANDICAPPED

Collection of information collection requirement	Section of CFR affected	Number of respondents	Number of responses per respondent	Total annual responses	Hours per response	Total hours
Borrower's appeal of loan cancellation.....	885.230(b) 885.770(b)	30 10	1 1	30 10	.5 .5	15 5
Total hours						20

This rule was listed as item number 1056 in the Department's Semiannual Agenda of Regulations published October 30, 1989 (54 FR 44702, 44723) under Executive Order 12291 and the Regulatory Flexibility Act.

(The Catalog of Federal Domestic Assistance program number is 14.157, Housing for the Elderly or Handicapped)

List of Subjects in 24 CFR Part 885

Aged, Grant programs: housing and community development, Handicapped, Loan programs: housing and community development, Low- and moderate-income housing.

Accordingly, the Department amends 24 CFR part 885 to read as follows:

PART 885—LOANS FOR HOUSING FOR THE ELDERLY OR HANDICAPPED

1. The authority citation for 24 CFR part 885 continues to read as follows:

Authority: Section 202, Housing Act of 1959 (12 U.S.C. 1701q); sec. 7(d) Department of Housing and Urban Development Act (42 U.S.C. 3535(d)).

2. Section 885.230 is revised to read as follows:

§ 885.230 Duration of section 202 fund reservations.

(a) *Extension and cancellation of fund reservation.* The duration of the initial

fund reservation is 18 months from the date of issuance under § 885.225.

(1) Subject to the approval of the Assistant Secretary, the field office may, at any time, issue a notice of intent to cancel the fund reservation if the field office determines that the Borrower is not making satisfactory progress toward the start of construction, rehabilitation, or acquisition.

(2) Subject to the approval of the Assistant Secretary, the field office shall issue a notice of intent to cancel the fund reservation if the construction, substantial rehabilitation, or acquisition with or without moderate rehabilitation of a project is not begun within 18 months after the notice of section 202 fund reservation under § 885.225(a) is issued or, if applicable, within an extension of the 18-month period granted under paragraph (a)(3) of this section.

(3) The field office may extend the period specified in paragraph (a)(2) of this section up to 24 months after the notice of section 202 fund reservation is issued, if HUD determines that the Borrower is making satisfactory progress toward the start of construction, rehabilitation, or acquisition with or without rehabilitation. The regional office may grant additional extensions of up to 36

months after the notice of section 202 fund reservation is issued, if—

(i) The delay has been for reasons beyond the Borrower's control;

(ii) The Borrower has done everything within its power to resolve the problems causing the delay;

(iii) All major problems have been resolved, or there is good reason to expect prompt resolution; and

(iv) There is good reason to expect the start of construction, rehabilitation, or acquisition with or without rehabilitation to begin within the extension period.

(b) *Notification procedures.* (1) If HUD determines that a fund reservation must be cancelled under paragraph (a) of this section, the field office shall mail a notice of loan cancellation to the Borrower by certified mail, return receipt requested. The notice of loan cancellation must:

(i) Describe the reasons for the cancellation of the loan authority; and

(ii) Advise the Borrower that it may file an appeal of the cancellation with the field office within 30 days of the receipt of the cancellation notice, and that the failure to file an appeal will result in the cancellation of the fund reservation upon the expiration of the 30-day period.

(2) If the Borrower fails to file an appeal of the loan cancellation within 30

days of the receipt of the cancellation notice, the field office shall cancel the fund reservation and provide a written notice of the cancellation to the Borrower.

(3) If the Borrower files an appeal within 30 days of the receipt of the cancellation notice, HUD Headquarters will review the appeal and will issue a decision on the appeal within 45 days of the receipt of the appeal. HUD will approve the appeal if the Borrower demonstrates that it is making satisfactory progress toward the start of construction, rehabilitation, or acquisition with or without substantial rehabilitation.

(i) If HUD approves the appeal, it shall provide a written notification of the approval to the Borrower. The notification shall indicate the duration of the extended fund reservation.

(ii) If HUD disapproves the appeal, it shall notify the Borrower in writing of the determination, and cancel the fund reservation.

3. In § 885.770, paragraph (a) is revised to read as follows:

§ 885.770 Duration of section 202 fund reservations.

(a) *Extension and cancellation of fund reservation.* The duration of the initial fund reservation is 18 months from the date of issuance under § 885.755.

(1) Subject to the approval of the Assistant Secretary, the field office may, at any time, issue a notice of intent to cancel the fund reservation if the field office determines that the Borrower is not making satisfactory progress toward the start of construction, rehabilitation, or acquisition.

(2) Subject to the approval of the Assistant Secretary, the field office shall issue a notice of intent to cancel the fund reservation if the construction, substantial rehabilitation, or acquisition with or without moderate rehabilitation of a project is not begun within 18 months after the notice of section 202 fund reservation under § 885.755(a) is issued or, if applicable, within an extension of the 18-month period granted under paragraph (a)(3) of this section.

(3) The field office may extend the period specified in paragraph (a)(2) of this section up to 24 months after the notice of section 202 fund reservation is issued, if HUD determines that the Borrower is making satisfactory progress toward the start of construction, rehabilitation, or acquisition with or without rehabilitation. The regional office may grant additional extensions of up to 36

months after the notice of section 202 fund reservation is issued, if—

(i) The delay has been for reasons beyond the Borrower's control;

(ii) The Borrower has done everything within its power to resolve the problems causing the delay;

(iii) All major problems have been resolved, or there is good reason to expect prompt resolution; and

(iv) There is good reason to expect the start of construction, rehabilitation, or acquisition with or without rehabilitation to begin within the extension period.

A fund reservation extension may affect the interest rate to be paid on the section 202 loan if the Borrower has made an election of the optional rate (see § 885.810(f)(2)(iv)).

* * * * *

Dated: February 15, 1990.

C. Austin Fitts,

Assistant Secretary for Housing—Federal Housing Commissioner.

[FR Doc. 90-5491 Filed 03-09-90; 8:45 am]

BILLING CODE 4210-27-M

**DEPARTMENT OF TRANSPORTATION
Coast Guard**

33 CFR Part 100

[CGD 05-90-04]

Special Local Regulations for Marine Events; SAFEBOAT 90 Demonstrations; Town Point Park, Elizabeth River, Norfolk, VA

AGENCY: Coast Guard, DOT.

ACTION: Notice of implementation of 33 CFR 100.501.

SUMMARY: This notice implements 33 CFR 100.501 for the SAFEBOAT 90 Demonstrations to be held in the vicinity of Town Point Park, on the Elizabeth River, at Norfolk, Virginia. The event will consist of water safety equipment demonstrations, including the firing of visual distress signals and a helicopter rescue demonstration. The regulations in 33 CFR 100.501 are needed to control vessel traffic within the immediate vicinity of the event due to the confined nature of the waterway and the expected congestion at the time of the event. The regulations restrict general navigation in the area for the safety of life on navigable waters during the event.

EFFECTIVE DATE: The regulations in 33 CFR 100.501 are effective from 11:30 a.m. to 6:30 p.m., March 17, 1990.

FOR FURTHER INFORMATION CONTACT: Stephen L. Phillips, Chief, Boating

Affairs Branch, Boating Safety Division, Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004 (804) 398-6204.

Drafting Information

The drafters of this notice are QM1 Kevin R. Connors, project officer, Boating Affairs Branch, Boating Safety Division, Fifth Coast Guard District, and Lieutenant Steven M. Fitten, project attorney, Fifth Coast Guard District Legal Staff.

Discussion of Regulation

Nautical Adventures, Inc. submitted an application on February 10, 1990 to hold the SAFEBOAT 90 Demonstrations to be held in the vicinity of Town Point Park, on the Elizabeth River, at Norfolk, Virginia. The event will consist of water safety equipment demonstrations, including the firing of visual distress signals and a helicopter rescue demonstration. Since the waterway will not be closed for extended periods, commercial traffic should not be severely disrupted. In addition to regulating the area for the safety of life and property, this notice of implementation also authorizes the Patrol Commander to regulate the operation of the Berkley drawbridge in accordance with 33 CFR 117.1007, and authorizes spectators to anchor in the special anchorage areas described in 33 CFR 110.72aa. The implementation of 33 CFR 100.501 also implements regulations in 33 CFR 110.72aa and 117.1007. 33 CFR 110.72aa establishes the spectator anchorages in 33 CFR 100.501 as special anchorage areas under Inland Navigation Rule 30, 33 U.S.C. 2030(g). 33 CFR 117.1007 closes the draw of the Berkley Bridge to vessels during and for one hour before and after the effective period under 33 CFR 100.501, except that the Coast Guard Patrol Commander may order that the draw be opened for commercial vessels. These regulations are implemented by publication of this implementing notice in the **Federal Register** and a notice in the Local Notice to Mariners.

Authority: 33 U.S.C. 1233.

Dated: March 2, 1990.

P.A. Welling,

Rear Admiral, U.S. Coast Guard Commander, Fifth Coast Guard District.

[FR Doc. 90-5529 Filed 3-9-90; 8:45 am]

BILLING CODE 4910-14-M

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 52****[A-1-FRL-3724-3]****Approval and Promulgation of Air Quality Implementation Plans; Connecticut; Reasonably Available Control Technology for Hamilton Standard Division of United Technologies Corp.****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final rule.

SUMMARY: EPA is approving a State Implementation Plan (SIP) revision submitted by the State of Connecticut. This revision establishes and requires the use of reasonably available control technology (RACT) to control volatile organic compound (VOC) emissions from the Hamilton Standard Division of United Technologies Corporation in Windsor Locks, Connecticut. The intended effect of this action is to approve the source-specific RACT determination made by the State in accordance with commitments made in its 1982 Ozone Attainment Plan which was approved by EPA on March 21, 1984 (49 FR 10542). This action is being taken in accordance with section 110 of the Clean Air Act.

EFFECTIVE DATE: This action will become effective on May 11, 1990, unless notice is received within 30 days that adverse or critical comments will be submitted. If the effective date is delayed, timely notice will be published in the Federal Register.

ADDRESSES: Comments may be mailed to Louis F. Gitto, Director, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region I, JFK Federal Building, Room 2313, Boston, MA 02203. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region I, JFK Federal Building, Room 2313, Boston, MA 02203; and the Bureau of Air Management, Department of Environmental Protection, State Office Building, 165 Capitol Avenue, Hartford, CT 06106.

FOR FURTHER INFORMATION CONTACT: David B. Conroy, (617) 565-3252; FTS 835-3252.

SUPPLEMENTARY INFORMATION: On December 22, 1989, the State of Connecticut submitted a formal revision to its state implementation plan (SIP). The revision consists of State Order No.

8029 issued by the Connecticut Department of Environmental Protection (DEP) to Hamilton Standard Division of United Technologies Corporation in Windsor Locks, Connecticut. This State Order was issued to this facility to control volatile organic compound (VOC) emissions from this facility's VOC-emitting processes. The requirements of State Order No. 8029 constitute reasonably available control technology (RACT) for Hamilton Standard as required by subsection 22a-174-20(ee), "Reasonably Available Control Technology for Large Sources," of Connecticut's Regulations for the Abatement of Air Pollution.

Under subsection 22a-174-20(ee), the Connecticut DEP determines and imposes RACT on all stationary sources with the potential to emit one hundred tons per year or more of VOC that are not already subject to RACT under Connecticut's regulations developed pursuant to the control techniques guidelines (CTG) documents. EPA approved this regulation on March 21, 1984 (49 FR 10542) as part of Connecticut's 1982 Ozone Attainment Plan. That approval was granted with the agreement that all source-specific RACT determinations made by the DEP would be submitted to EPA as source-specific SIP revisions.

Summary of RACT Determination

Hamilton Standard operates 56 vapor degreasers of which 21 were in use prior to July 1, 1980. The control of solvent metal cleaning operations in Connecticut is covered under subsection 22a-174-20(f), "Metal cleaning," of Connecticut's regulations. Final approval of this regulation was granted by EPA on February 1, 1984 (49 FR 3988). Under subparagraph 22a-174-20(f)(2)(iii) of Connecticut's original solvent metal cleaning regulation, however, open top vapor degreasers and conveyorized degreasers that were in operation prior to July 1, 1980 are exempt from meeting the control and operating requirements prescribed in subsection 22a-174-20(f). Therefore, all of the open-top vapor degreasers and conveyorized vapor degreasers at Hamilton Standard that were in operation prior to July 1, 1980 are exempt from meeting RACT under subsection 22a-174-20(f). These open-top vapor and conveyorized vapor degreasers are now being required to meet RACT pursuant to subsection 22a-174-20(ee).

Twenty-eight of 56 vapor degreasers at Hamilton Standard have been converted to or have always used either the solvents 1,1,1 tri-chloroethane or Freon TF which are two of the organic compounds which EPA has designated

as having negligible photochemical reactivity. These compounds are not considered VOCs under the definition of VOC in Connecticut's SIP. As such, State Order No. 8029 does not require any control requirements on these 28 vapor degreasers. State Order No. 8029 does, however, contain requirements for the 28 vapor degreasers in case Hamilton Standard ever converts any of them to using a VOC. State Order No. 8029 requires Hamilton Standard to meet the control requirements of subsection 22a-174-20(f) of Connecticut's regulations and some additional requirements in paragraphs 7 and 10 of the State Order for any vapor degreaser that it converts back to using a VOC on the day it starts production using the VOC.

The remaining degreasers at Hamilton Standard continue to use VOC solvents. As RACT for these units, the State Order requires these units to meet the requirements in subsection 22a-174-20(f) of Connecticut's regulations (Connecticut's solvent metal cleaning regulation) as well as other additional requirements contained in the State Order which increase the stringency of the control requirements imposed on these degreasing units.

In addition to the facility's degreasing operations, Hamilton Standard has handwiping operations which use VOC to clean metal or fiberglass parts outside the confines of any degreaser. As RACT for these operations, the State Order requires that all dispensing containers be equipped with a cover and be closed when not in use, that all dirty rags and all rags which have previously been used be stored in covered containers, and that no rags be visibly dripping during use.

In addition, the facility operates solvent recovery stills. As RACT for these operations, the State Order requires Hamilton Standard to cease operation of any solvent recovery still whenever the condenser coil outlet water temperature exceeds 80 °F. This is the temperature above which the solvent recovery stills are achieving less than the minimum required ninety-five percent solvent recovery rate. The condenser coil outlet water temperature on each solvent recovery still is required to be monitored with an alarm which will be triggered should the condenser coil outlet water temperature exceed 80 °F. Furthermore, Hamilton Standard is required to store all waste VOC, before being recovered in the solvent recovery stills or before being sent out as a waste product, in closed containers which prevent the evaporation of VOC to the atmosphere.

Additionally, the State Order requires Hamilton Standard to maintain a recordkeeping system of all additions of solvent to each vapor degreaser using VOC. Further, Hamilton Standard is required to maintain a recordkeeping system of all waste VOC that is generated from these vapor degreasers. Hamilton Standard is also required to maintain a monthly recordkeeping system of all VOC used in the handwiping operations by VOC type.

EPA has reviewed State Order No. 8029 and has determined that the level of control required by this Order represents RACT for Hamilton Standard.

EPA is approving this SIP revision 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 notice 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 simultaneously 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 on May 11, 1990.

Final Action

EPA is approving Connecticut State Order No. 8029 as a revision to the Connecticut SIP. The provisions of State Order No. 8029 define and impose RACT on Hamilton Standard as required by subsection 22a-174-20(ee) of Connecticut's regulations.

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.)

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.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any state implementation plan. Each request for revision to the state implementation plan shall be considered separately in light of specific technical, economic, and

environmental factors and in relation to relevant statutory and regulatory requirements.

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 May 11, 1990. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Air pollution control, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements.

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

Dated: February 2, 1990.

Julie D. Belaga,

Regional Administrator, Region I.

Subpart H, part 52 of chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

Subpart H—Connecticut

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

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

2. Section 52.370 is amended by adding paragraph (c)(54) to read as follows:

§ 52.370 Identification of plan.

* * * * *

(c) * * *

(54) Revisions to the State Implementation Plan submitted by the Connecticut Department of Environmental Protection on December 22, 1989.

(i) Incorporation by reference:

(A) Letter from the Connecticut Department of Environmental Protection dated December 22, 1989 submitting a revision to the Connecticut State Implementation Plan.

(b) State Order No. 8029, attached Compliance Timetable, and Tables A through I for Hamilton Standard Division of United Technologies Corporation in Windsor Locks, Connecticut. State Order No. 8029 was effective on November 29, 1989.

(ii) Additional materials:

(A) Technical Support Document prepared by the Connecticut DEP providing a complete description of the reasonably available control technology

determination imposed on Hamilton Standard.

[FR Doc. 90-5612 Filed 3-9-90; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 52

[FRL-3731-3]

Approval and Promulgation of State Implementation Plans; Colorado; Oxygenated Fuels and Inspection/Maintenance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This notice approves revisions to the Colorado Carbon Monoxide (CO) and Ozone State Implementation Plan (SIP) submitted on July 29, 1987, by the Governor of Colorado. The CO SIP revision included: (1) Regulation No. 11 (Inspection/Maintenance (I/M) program) and (2) Regulation No. 13 (oxygenated fuels program). The Ozone SIP revision included Regulation No. 11 (the I/M program). The Regulations apply to the Boulder, Colorado Springs, Denver Metropolitan, and Fort Collins areas.

The revisions to Regulation No. 11 being approved today also incorporated earlier revisions submitted by the Governor of Colorado: (1) The legislative amendments authorizing the Regulation No. 11 revisions were submitted on July 1, 1986, and (2) the revised emission standards (cut points) for 1976 and 1977 vehicles were submitted January 30, 1986. These earlier revisions are not being acted on separately because they are incorporated in the July 29, 1987, submittal. The July 29, 1987, revisions are being approved because they reduce CO and ozone levels and, therefore, strengthen the existing SIPs.

EFFECTIVE DATE: This approval will be effective on April 11, 1990.

ADDRESSES: Written comments should be addressed to:

Douglas M. Skie, Chief, Air Programs Branch, Environmental Protection Agency, One Denver Place, Suite 500, 999 18th Street, Denver, Colorado 80202-2405.

Copies of the state submittal are available for public inspection between 8 a.m. and 4 p.m., Monday through Friday, at the following offices:

Environmental Protection Agency, Region VIII, Air Programs Branch, One Denver Place, Suite 500, 999 18th Street, Denver, Colorado 80202-2405.