existing requirements previously promulgated by OSM will be implemented by the State. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions for the counterpart Federal regulations.

List of Subjects in 30 CFR Part 918

Intergovernmental relations, Surface mining, Underground mining.

Dated: September 14, 1994.

Russell F. Price,

Acting Assistant Director, Western Support Center.

For the reasons set out in the preamble, Title 30, Chapter VII, Subchapter T of the Code of Federal Regulations is amended as set forth below:

PART 918—LOUISIANA

1. The authority citation for Part 918 continues to read as follows:

Authority: 30 U.S.C. 1201 *et seq.*

2. Section 918.15 is amended by revising the section heading and adding paragraph (d) to read as follows:

§ 918.15 Approval of amendments to the Louisiana regulatory program.

* * * * *

(d) Revisions to LSMR 53123.B.4.a, revegetation success standards for forestry, as submitted to OSM on May 3, 1994, are approved effective September 20, 1994.

3. Section 918.16 is revised to read as follows:

§ 918.16 Required program amendments.

Pursuant to 30 CFR 732.17(f)(1), Louisiana is required to submit to OSM by the specified date the following written, proposed program amendment, or a description of an amendment to be proposed that meets the requirements of SMCRA and 30 CFR Chapter VII and a timetable for enactment that is consistent with Louisiana's established administrative or legislative procedures.

(a) By November 21, 1994, Louisiana shall revise LSMR 53123.B.4.a or otherwise modify its program, to require that trees and shrubs that will be used in determining the success of stocking and the adequacy of the plant arrangement shall (1) have utility for the approved postmining land use and (2) be healthy.

(b) By November 21, 1994, Louisiana shall revise LSMR 53123.B.4.a or otherwise modify its program, to either (1) clarify, by policy statement, that proposed LSMR 53123.B.4.a requires that 100 percent (i.e., all countable stems) of the trees must be in place for a minimum of 60 percent of the responsibility period, or (2) add the requirement that at least 80 percent of the trees and shrubs used to determine success of revegetation shall have been in place for 60 percent of the applicable minimum period of responsibility.

[FR Doc. 94–23247 Filed 9–19–94; 8:45 am]

BILLING CODE 4310–05–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA 46–3–6506; FRL–5066–7]

Approval and Promulgation of Implementation Plans California State Implementation Plan Revision Santa Barbara County Air Pollution Control District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is finalizing the approval of a revision to the California State Implementation Plan (SIP) proposed in the **Federal Register** on January 12, 1994. The revision concerns a rule from the Santa Barbara County Air Pollution Control District (SBCAPCD). This approval action will incorporate this rule into the federally approved SIP. The intended effect of approving this rule is to regulate emissions of volatile organic compounds (VOCs) in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). The revised rule controls VOC emissions from oil refinery leaks. Thus, EPA is finalizing the approval of this revision into the California SIP under provisions of the CAA regarding EPA action on SIP submittals, SIPs for national primary and secondary ambient air quality standards and plan requirements for nonattainment areas.

EFFECTIVE DATE: This final rule is effective on October 20, 1994.

ADDRESSES: Copies of the rule revision and EPA's evaluation report for the rule are available for public inspection at EPA's Region IX office during normal business hours.

Copies of the submitted rule revision are available for inspection at the following locations:

Rulemaking Section (A–5–3), Air and Toxics Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105.

Environmental Protection Agency, Air Docket 6102, 401 "M" Street, SW., Washington, DC 20460.

Santa Barbara County Air Pollution Control District, 26 Castilian Drive B–23, Goleta, CA 93117.

FOR FURTHER INFORMATION CONTACT: Christine Vineyard, Rulemaking Section (A–5–3), Air and Toxics Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105, Telephone: (415) 744–1197.

SUPPLEMENTARY INFORMATION:

Background

On January 12, 1994 in 59 FR 1698, EPA proposed to approve the following rule into the California SIP: SBCAPCD's Rule 331, Fugitive Emissions Inspection and Maintenance. Rule 331 was adopted by SBCAPCD on December 10, 1991. This rule was submitted by the California Air Resources Board (CARB) to EPA on June 19, 1992. This rule was submitted in response to EPA's 1988 SIP-Call and the CAA section 182(a)(2)(A) requirement that nonattainment areas fix their reasonably available control technology (RACT) rules for ozone in accordance with EPA guidance that interpreted the requirements of the pre-amendment Act. A detailed discussion of the background of the above rule and nonattainment area is provided in the NPRM cited above.

EPA has evaluated the above rule for consistency with the requirements of the CAA and EPA regulations and EPA interpretation of these requirements as expressed in the various EPA policy guidance documents referenced in the NPRM cited above. EPA has found that the rule meets the applicable EPA requirements. A detailed discussion of the rule provisions and evaluations has been provided in 59 FR 1698 and in the technical support document (TSD) available at EPA's Region IX office (TSD dated June 7, 1993).

Response to Public Comments

A 30-day public comment period was provided in 59 FR 1698. No formal comments were received.

EPA Action

EPA is finalizing action to approve the above rule for inclusion into the California SIP. EPA is approving the submittal under section 110(k)(3) as meeting the requirements of section 110(a) and part D of the CAA. This approval action will incorporate this rule into the federally approved SIP. The intended effect of approving this rule is to regulate emissions of VOCs in accordance with the requirements of the CAA.

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.

Regulatory Process

This action has been classified as a Table 2 action by the Regional Administrator under the procedures published in the **Federal Register** on January 19, 1989 (54 FR 2214–2225), as revised by an October 4, 1993, memorandum from Michael H. Shapiro, Acting Assistant Administrator for Air and Radiation. A future document will inform the general public of these tables. On January 6, 1989, the Office of Management and Budget (OMB) waived Table 2 and Table 3 SIP revisions (54 FR 222) from the requirements of Section 3 of Executive Order 12291 for 2 years. The EPA has submitted a request for a permanent waiver for Table 2 and Table 3 SIP revisions. The OMB has agreed to continue the temporary waiver until such time as it rules on EPA's request. This request continues in effect under Executive Order 12866 which superseded Executive Order 12291 on September 30, 1993.

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 November 21, 1994. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review not does it extend the time within which a petition for judicial review may be filed and shall not postpone the effectiveness of such rule or action. 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 California was approved by the Director of the **Federal Register** on July 1, 1982.

Dated: August 29, 1994.

John Wise,

Acting Regional Administrator.

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

PART 52—[AMENDED]

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

Authority: 42 U.S.C. 7401–7671q.

Subpart F—California

2. Section 52.220 is amended by adding paragraph (c) (188)(i)(A)(*2*) to read as follows:

§ 52.220 Identification of plan.

* * * * *

(c) * * *

(188) * * *

(i) * * *

(A) * * *

(*2*) Rule 331, adopted on December 10, 1991.

* * * * *

[FR Doc. 94–23158 Filed 9–19–94; 8:45 am]

BILLING CODE 6560–50–F

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40 CFR Part 63

[AD–FRL–5073–9]

National Emission Standards for Hazardous Air Pollutants for Source Categories: Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry and Other Processes Subject to the Negotiated Regulation for Equipment Leaks; Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Correcting amendments.

SUMMARY: This action corrects errors and clarifies regulatory text of the "National Emission Standards for Hazardous Air Pollutants for Source Categories: Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry and Other Processes Subject to the Negotiated Regulation for Equipment Leaks," which was issued as a final rule on April 22, 1994 and June 6, 1994. This rule is commonly known as the Hazardous Organic NESHAP or the HON.

EFFECTIVE DATE: September 20, 1994.

FOR FURTHER INFORMATION CONTACT: Dr. Janet S. Meyer, Standards Development Branch, Emission Standards Division (MD–13), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone number (919) 541–5254.

SUPPLEMENTARY INFORMATION: On April 22, 1994 (59 FR 19402), and June 6, 1994 (59 FR 29196), the Environmental Protection Agency (EPA) promulgated in the **Federal Register** national emission standards for hazardous air pollutants (NESHAP) for the synthetic organic chemical manufacturing industry, and for several other processes subject to the equipment leaks portion of the rule. These regulations were promulgated as subparts F, G, H, and I in 40 CFR part 63, and are commonly referred to as the hazardous organic NESHAP, or the HON. This document contains corrections to typographical and cross-referencing errors in subparts F, H, and I of the final regulations. A few editorial corrections are also being made to clarify the intent of certain provisions in these subparts.

Paragraph (e) of § 63.103 of subpart F is being revised to clarify that the source owner or operator is required to only document the basis for the determination that the provisions of the HON do not apply, and not to keep ongoing records. Tables 1 and 2 of subpart F are revised to correct typographical errors in spelling of several chemical names or the chemical abstracts services (CAS) numbers. Thiocarbanilide is being removed from table 1 of subpart F because this chemical is listed elsewhere in table 1 as diphenyl thiourea.

A few editorial changes are being made to several sections in subpart H to clarify the intent of the provisions. Section 63.163(f) is being revised to remove a requirement to inspect sealless pumps for indications of liquids dripping from the pump seal. Since this inspection will not serve the purpose of detecting failures of these pumps, the requirement to perform these inspections is being removed. The provisions of § 63.180(b)(2) are being clarified by adding a sentence explaining that inert gases are not to be considered in evaluation of instrument response factor.

A number of corrections are being made to subpart I to improve consistency in terminology and to clarify the provisions. This document corrects subpart I to use the term "pharmaceutical production process" in § 63.190(b)(5) and in the definitions section. The definition of "pharmaceutical production process" is being clarified to reflect the intent of the regulatory negotiation committee. Editorial corrections are being made to § 63.190(e) and § 63.192(e) to correct a drafting error in usage of the term "source." Several errors in cross referencing subpart A of part 63 and other cross referencing errors are being corrected.

List of Subjects in 40 CFR Part 63

Environmental protection, Air pollution control, Hazardous substances, Reporting and Recordkeeping requirements.

Dated: September 12, 1994.

Mary D. Nichols,

Assistant Administrator for Air and Radiation.

For the reasons set out in the preamble, title 40, chapter I, part 63, subparts F, H, and I of the Code of Federal Regulations are corrected as follows:

PART 63—[AMENDED]

1. The authority citation for part 63 continues to read as follows:

Authority: Sections 101, 112, 114, 116, and 301 of the Clean Air Act (42 U.S.C. 7401, *et seq.*, as amended by Pub. L. 101–549, 104 Stat. 2399).

Subpart F—National Emission Standards for Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry

2. Section 63.103 is amended by revising the first sentence of paragraph (e) to read as follows:

§ 63.103 General compliance, reporting, and recordkeeping provisions.

* * * * *

(e) The basis for the determination that a chemical manufacturing unit does not use as a reactant or manufacture as a product any organic hazardous air pollutant shall be documented. * * *

* * * * *

Table 1 of Subpart F—[Amended]

3. Table 1 of subpart F is amended by removing the entry for thiocarbanilide and its associated CAS number and group number, and by removing the terms "Butyrolacetone," "Dimethylaniline (N,N)" and "Dodecandedioic acid", in the first column, and inserting the terms "Butyrolactone," "Dimethylaniline (N,N')" and "Dodecanedioic acid" in their place, respectively.

Table 2 of Subpart F—[Amended]

4. Table 2 of subpart F is amended by revising the CAS number of hexane to read "110543."

Subpart H—National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks

5. Section 63.160 is amended by revising paragraph (a) to read as follows:

§ 63.160 Applicability and designation of source.

(a) The provisions of this subpart apply to pumps, compressors, agitators, pressure relief devices, sampling connection systems, open-ended valves or lines, valves, connectors, surge control vessels, bottoms receivers, instrumentation systems, and control devices or systems required by this subpart that are intended to operate in organic hazardous air pollutant service 300 hours or more during the calendar year within a source subject to the provisions of a specific subpart in 40 CFR part 63 that references this subpart.

* * * * *

6. Section 63.161 is amended by revising the definitions of "closed-vent system" and "hard-piping" to read as follows:

§ 63.161 Definitions.

* * * * *

Closed-vent system means a system that is not open to the atmosphere and that is composed of hard-piping, ductwork, connections and, if necessary, flow-inducing devices that transport gas or vapor from a piece or pieces of equipment to a control device or back into a process.

* * * *

Hard-piping means pipe or tubing that is manufactured and properly installed using good engineering judgement and standards, such as ANSI B31–3.

* * * * *

7. Section 63.162 is amended by revising paragraphs (b)(1) and (f)(3) to read as follows:

§ 63.162 Standards: General.

* * * * *

(b)(1) An owner or operator may request a determination of alternative means of emission limitation to the requirements of §§ 63.163 through 63.170, and §§ 63.172 through 63.174 of this subpart as provided in § 63.177.

* * * * *

(f) * * *

(3) The identification on equipment, except on a valve or connector, may be removed after it has been repaired. The identification on a valve or connector may be removed after it has been monitored as specified in § 63.168(f)(3), § 63.174(e), or § 63.175(e)(7)(i)(D), and no leak has been detected during the followup monitoring.

8. Section 63.163 is amended by revising paragraph (f) to read as follows:

§ 63.163 Standards: Pumps in light liquid service.

* * * * *

(f) Any pump that is designed with no externally actuated shaft penetrating the pump housing is exempt from the requirements of paragraphs (a) through (c) of this section.

* * * * *

9. Section 63.164 is amended by revising paragraph (c) to read as follows:

§ 63.164 Standards: Compressors.

* * * * *

(c) The barrier fluid shall not be in light liquid service.

* * * * *

10. Section 63.165 is amended by redesignating paragraphs (d) and (e) as paragraphs (d)(1) and (d)(2), respectively, and revising them to read as follows:

§ 63.165 Standards: Pressure relief devices in gas/vapor service.

* * * * *

(d)(1) Any pressure relief device that is equipped with a rupture disk upstream of the pressure relief device is exempt from the requirements of paragraphs (a) and (b) of this section, provided the owner or operator complies with the requirements in paragraph (d)(2) of this section.

(2) After each pressure release, a rupture disk shall be installed upstream of the pressure relief device as soon as practicable, but no later than 5 calendar days after each pressure release, except as provided in § 63.171 of this subpart.

11. Section 63.168 is amended by revising paragraph (e)(1) and by revising paragraph (h)(2) to read as follows:

§ 63.168 Standards: Valves in gas/vapor service and in light liquid service.

* * * * *

(e)(1) Percent leaking valves at a process unit shall be determined by the following equation:

$\%V_L=(V_L/(V_T+V_C))\times 100$

where:

$\%V_L$=Percent leaking valves.

V_L=Number of valves found leaking excluding nonrepairables as provided in paragraph (e)(3)(i) of this section.

V_T=Total valves monitored, in a monitoring period excluding valves monitored as required by (f)(3) of this section.

V_C=Optional credit for removed valves=0.67 × net number (i.e., total removed − total added) of valves in organic HAP service removed from process unit after the date set forth in § 63.100(k) of subpart F for existing process units, and after the date of initial start-up for new sources. If credits are not taken, then V_C=0.

* * * * *

(h) * * *

(2) The owner or operator of the valve has a written plan that requires monitoring of the valve as frequently as practicable during safe-to-monitor times, but not more frequently than the periodic monitoring schedule otherwise applicable.

* * * * *

12. Section 63.169 is amended by revising paragraphs (a), (c)(3), and (d) to read as follows:

§ 63.169 Standards: Pumps, valves, connectors, and agitators in heavy liquid service; instrumentation systems; and pressure relief devices in liquid service.

(a) Pumps, valves, connectors, and agitators in heavy liquid service, pressure relief devices in light liquid or heavy liquid service, and instrumentation systems shall be monitored within 5 calendar days by the method specified in § 63.180(b) of this subpart if evidence of a potential leak is found by visual, audible, olfactory, or any other detection method. If a potential leak is repaired as required in paragraphs (c) and (d) of this section, it is not necessary to monitor the system for leaks by the method specified in § 63.180(b) of this subpart.

* * * * *

(c) * * *

(3) For equipment identified in paragraph (a) of this section that is not monitored by the method specified in § 63.180(b) of this subpart, repaired shall mean that the visual, audible, olfactory, or other indications of a leak have been eliminated; that no bubbles are observed at potential leak sites during a leak check using soap solution; or that the system will hold a test pressure.

(d) First attempts at repair include, but are not limited to, the practices described under §§ 63.163(c)(2) and 63.168(g) of this subpart, for pumps and valves, respectively.

13. Section 63.171 is amended by revising paragraph (e) to read as follows:

§ 63.171 Standards: Delay of repair.

* * * * *

(e) Delay of repair beyond a process unit shutdown will be allowed for a valve if valve assembly replacement is necessary during the process unit shutdown, valve assembly supplies have been depleted, and valve assembly supplies had been sufficiently stocked before the supplies were depleted. Delay of repair beyond the second process unit shutdown will not be allowed unless the third process unit shutdown occurs sooner than 6 months after the first process unit shutdown.

14. Section 63.172 is amended by revising paragraphs (b) and (k)(2) to read as follows:

§ 63.172 Standards: Closed-vent systems and control devices.

* * * * *

(b) Vapor recovery systems (e.g., condensers and adsorbers) shall be designed and operated to recover the organic HAP emissions or VOC emissions vented to them with an efficiency of 95 percent or greater.

* * * * *

(k) * * *

(2) The owner or operator has a written plan that requires inspection of the equipment as frequently as practicable during safe-to-inspect times, but not more frequently than annually.

* * * * *

15. Section 63.174 is amended by revising paragraphs (b)(1), (b)(2), (b)(3)(i); the first sentence of (b)(3)(ii); paragraph (f)(2); and the first sentence of paragraph (h)(1) introductory text to read as follows:

§ 63.174 Standards: Connectors in gas/vapor service and in light liquid service.

* * * * *

(b) * * *

(1) For each group of existing process units within an existing source, by no later than 12 months after the compliance date, the owner or operator shall monitor all connectors, except as provided in paragraphs (f) through (h) of this section.

(2) For new sources, within the first 12 months after initial start-up or by no later than 12 months after the date of promulgation of a specific subpart that references this subpart, whichever is later, the owner or operator shall monitor all connectors, except as provided in paragraphs (f) through (h) of this section.

(3) * * *

(i) Once per year (i.e., 12-month period), if the percent leaking connectors in the process unit was 0.5 percent or greater during the last required annual or biennial monitoring period.

(ii) Once every 2 years, if the percent leaking connectors was less than 0.5 percent during the last required monitoring period. * * *

* * * * *

(f) * * *

(2) The owner or operator has a written plan that requires monitoring of the connector as frequently as practicable during safe to monitor periods, but not more frequently than the periodic schedule otherwise applicable.

* * * * *

(h)(1) Any connector that is inaccessible or is glass or glass-lined, is exempt from the monitoring requirements of paragraphs (a) and (c) of this section and from the recordkeeping and reporting requirements of § 63.181 and § 63.182 of this subpart. * * *

* * * * *

16. Section 63.180 is amended by adding two sentences to the end of paragraph (b)(2) and by revising paragraph (c) introductory text to read as follows:

§ 63.180 Test methods and procedures.

* * * * *

(b) * * *

(2) * * *. For process streams that contain nitrogen, water, air, or other inerts which are not organic HAP's or VOC's, the average stream response factor may be calculated on an inert-free basis. The response factor may be determined at any concentration for which monitoring for leaks will be conducted.

* * * * *

(c) When equipment is monitored for compliance as required in §§ 63.164(i), 63.165(a), and 63.172(f) of this subpart or when equipment subject to a leak definition of 500 ppm is monitored for leaks, the monitoring shall comply with the following requirements:

* * * * *

17. Section 63.181 is amended by adding a sentence to the end of paragraph (b)(1)(i) and by revising paragraph (d)(5)(i) to read as follows:

§ 63.181 Recordkeeping requirements.

* * * * *

(b) * * *

(1)(i) * * *. With respect to connectors, the list shall be complete no later than the completion of the initial survey required by § 63.174 (b)(1) or (b)(2) of this subpart.

* * * * *

(d) * * *

(5) * * *

(i) The owner or operator may develop a written procedure that identifies the conditions that justify a delay of repair. The written procedures may be included as part of the startup/shutdown/malfunction plan, required by § 63.6(e)(3), for the source or may be part of a separate document that is maintained at the plant site. In such cases, reasons for delay of repair may be documented by citing the relevant sections of the written procedure.

* * * * *

18. Section 63.182 is amended by revising paragraphs (a)(6)(ii), (c) introductory text, and (c)(4) to read as follows:

§ 63.182 Reporting requirements.

(a) * * *

(6) * * *

(ii) A request for an extension of compliance must include the data described in § 63.6(i)(6)(i) of subpart A of this part.

* * * * *

(c) Each owner or operator of a source subject to this subpart shall submit a Notification of Compliance Status within 90 days after the compliance dates specified in the subpart in 40 CFR part 63 that references this subpart, except as provided in paragraph (c)(4) of this section.

* * * * *

(4) For existing sources subject to subpart F of this part, the Notification of Compliance Status shall be submitted for the group of process units with the earliest compliance date specified in § 63.100(k) of subpart F of this part, by no later than 90 days after the compliance date for that group. The Notification of Compliance Status for each subsequent group shall be submitted as part of the first periodic report that is due not less than 90 days after the compliance date for that group.

* * * * *

Subpart I—National Emission Standards for Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks

19. Section 63.190 is amended by revising paragraphs (b)(5), (c), and (e) introductory text; and by removing and reserving paragraph (b)(6)(i) to read as follows:

§ 63.190 Applicability and designation of source.

* * * * *

(b) * * *

(5) Pharmaceutical production processes using carbon tetrachloride or methylene chloride (carbon tetrachloride and methylene chloride emissions only).

(6) * * *

(i) Reserved.

* * * * *

(c) The owner or operator of a process listed in paragraph (b) of this section that does not have the designated organic hazardous air pollutants present in the process shall comply only with the requirements of § 63.192(k) of this subpart. To comply with this subpart, such processes shall not be required to comply with the provisions of subpart A of this part.

* * * * *

(e) The owner or operator of a process subject to this subpart is required to comply with the provisions of subpart H of this part on or before the dates specified in paragraphs (e)(1) or (e)(2) of this section, unless the owner or operator eliminates the use or production of all HAP's that cause the process to be subject to this rule no later than 18 months after April 22, 1994.

* * * * *

20. Section 63.191 is amended by revising paragraph (a) and by revising the definition of "Pharmaceutical production" in paragraph (b) to read as follows:

§ 63.191 Definitions.

(a) The following terms as used in subparts I and H of this part shall have the meaning given them in subpart A of this part: Act, Administrator, approved permit program, commenced, compliance date, construction, effective date, EPA, equivalent emission limitation, existing source, Federally enforceable, hazardous air pollutant, lesser quantity, major source, malfunction, new source, owner or operator, performance evaluation, performance test, permit program, permitting authority, reconstruction, relevant standard, responsible official, run, standard conditions, State, and stationary source.

(b) * * *

Pharmaceutical production process means a process that synthesizes pharmaceutical intermediate or final products using carbon tetrachloride or methylene chloride as a reactant or process solvent. Pharmaceutical production process does not mean process operations involving formulation activities such as tablet coating or spray coating of drug particles.

* * * * *

21. Section 63.192 is amended by revising paragraphs (b)(4) through (b)(8), (e), (i)(1), (i)(2) and (k) to read as follows:

§ 63.192 Standard.

* * * * *

(b) * * *

(4) The prohibited activities and circumvention provisions of § 63.4 (a)(1), (a)(2), (a)(3), (a)(5), and (b);

(5) The construction and reconstruction provisions of § 63.5(a), (b)(1), (b)(3), (d) (except the review is limited to the equipment subject to the provisions of subpart H), (e), and (f);

(6) The compliance with standards and maintenance requirements of § 63.6(a), (b)(3), (c)(5), (e), (i)(1), (i)(2), (i)(4)(i)(A), (i)(6)(i), (i)(8) through (i)(10), (i)(12) through (i)(14), (i)(16), and (j);

(7) With respect to flares, the performance testing requirements of § 63.7(a)(3), (d), (e)(1), (e)(2), (e)(4), and (h);

(8) The notification requirements of § 63.9 (a)(1), (a)(3), (a)(4), (b)(1)(i), (b)(4), (b)(5) (except, use the schedule specified in subpart H), (c), (d), and (i);

* * * * *

(e) If an owner or operator of a process plans to eliminate the use or production of all HAP's that cause the process to be subject to the provisions of subparts I and H of this part no later than 18 months after April 22, 1994, the owner or operator shall submit to the Administrator a brief description of the change, identify the HAP's eliminated, and the expected date of cessation of operation of the current process, by no later than January 23, 1995.

* * * * *

(i) * * *

(1) If EPA has approved a State operating permit program under 40 CFR part 70, the permit shall be obtained from the State authority.

(2) If the State operating permit program has not been approved, the source shall apply to the EPA regional office pursuant to 40 CFR part 71.

* * * * *

(k) The basis for the determination that a process does not use as a reactant or manufacture as a product the designated organic hazardous air pollutant shall be documented. Examples of information that could document this include, but are not limited to, records of chemicals purchased for the process, analyses of process stream composition, engineering calculations, or process knowledge.

[FR Doc. 94-23113 Filed 9-19-94; 8:45 am]

BILLING CODE 6560-50-P

40 CFR Part 300

[FRL-5074-1]

National Oil and Hazardous Substances Pollution Contingency Plan National Priorities List Update

AGENCY: Environmental Protection Agency.

ACTION: Notice of deletion of the C&J disposal site from the National Priorities List.

SUMMARY: The Environmental Protection Agency (EPA) Region II announces the deletion of the C&J Disposal site from the National Priorities List (NPL). The NPL is Appendix B of 40 CFR part 300 which is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which EPA promulgated pursuant to section 105 of

the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended. EPA and the State of New York have determined that all appropriate Hazardous Substance Response Trust Fund (Fund) -financed responses under CERCLA have been implemented and that no further cleanup by responsible parties is appropriate. Moreover, EPA and the State of New York have determined that remedial actions conducted at the site to date have been protective of public health, welfare, and the environment.

EFFECTIVE DATE: September 20, 1994.

FOR FURTHER INFORMATION CONTACT: Jack O'Dell, Remedial Project Manager, U.S. Environmental Protection Agency, Region II, 26 Federal Plaza, room 29–102, New York, NY 10278, (212) 264–1263.

SUPPLEMENTARY INFORMATION: The site to be deleted from the NPL is:

C&J Disposal site, Eaton, New York

The closing date for comments on the notice of intent to delete was August 20, 1994. EPA received no verbal or written comments.

EPA identifies sites which appear to present a significant risk to public health, welfare, or the environment and it maintains the NPL as the list of those sites. Sites on the NPL may be the subject of Fund-financed remedial actions. Any site deleted from the NPL remains eligible for Fund-financed remedial actions in the unlikely event that conditions at the site warrant such action. Section 300.66(c)(8) of the NCP states that Fund-financed actions may be taken at sites deleted from the NPL. Deletion of a site from the NPL does not affect responsible party liability or impede EPA efforts to recover costs associated with response efforts.

List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous substances, Hazardous waste, Intergovernmental relations, Penalties, Reporting and record-keeping requirements, Superfund, Water pollution control, and Water supply.

Dated: September 2, 1994.

William J. Muszynski, P.E.,

Deputy Regional Administrator.

40 CFR part 300 is amended as follows:

PART 300—[AMENDED]

1. The authority citation for part 300 continues to read as follows:

Authority: 42 U.S.C. 9601–9657; 33 U.S.C. 1321 (c)(2); E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp.: p. 351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp.: p. 193.

Appendix B to Part 300—[Amended]

2.Table 1 of appendix B to part 300 is amended by removing the C & J Disposal Leasing Co. Dump site, New York.

[FR Doc. 94–23239 Filed 9–19–94; 8:45 am]

BILLING CODE 6560–50–F

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Public Land Order 7083

[AK–932–4210–06; AA–6684]

Withdrawal of Public Land for Nikolski Village Selection; Alaska

AGENCY: Bureau of Land Management, Interior.

ACTION: Public land order.

SUMMARY: This order withdraws approximately 11,366 acres of public land located within the Alaska Maritime National Wildlife Refuge, from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, pursuant to Section 22 of the Alaska Native Claims Settlement Act. This action also reserves the land for selection by the Chaluka Corporation, the village corporation for Nikolski. This withdrawal is for a period of 120 days; however, any land selected shall remain withdrawn by the order until conveyed. Any land described herein that is not selected by the corporation will remain withdrawn as part of the Alaska Maritime National Wildlife Refuge, pursuant to the Alaska National Interest Lands Conservation Act, and will be subject to the terms and conditions of any other withdrawal of record.

EFFECTIVE DATE: September 20, 1994.

FOR FURTHER INFORMATION CONTACT: Sue A. Wolf, BLM Alaska State Office, 222 W. 7th Avenue, No. 13, Anchorage, Alaska 99513–7599, 907–271–5477.

By virtue of the authority vested in the Secretary of the Interior by Section 22(j)(2) of the Alaska Native Claims Settlement Act, 43 U.S.C. 1621(j)(2) (1988), it is ordered as follows:

1. Subject to valid existing rights, the following described public land located within the Alaska Maritime National Wildlife Refuge, is hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, and is hereby reserved for selection under Section 12 of the Alaska Native Claims Settlement Act, 43 U.S.C. 1611 (1988), by the Chaluka Corporation, the village corporation for Nikolski:

Seward Meridian

T. 81 S., R. 133 W., (Unsurveyed)
Secs. 11 to 14, inclusive;
Secs. 23 to 27, inclusive;
Secs. 34, and 35.
T. 82 S., R. 133 W., (Unsurveyed)
Sec. 3, Parcel A, as shown on Protraction Diagram No. S32–1 dated June 30, 1972;
Secs. 4, 8, 9, and 10;
Secs. 16 to 21, inclusive;
Secs. 29, and 30;
Sec. 31, Parcel A, as shown on Protraction Diagram No. S32–1 dated June 30, 1972.

The area described contains approximately 11,366 acres.

2. Prior to conveyance of any of the land withdrawn by this order, the land shall be subject to administration by the Secretary of the Interior under applicable laws and regulations, and his authority to make contracts and to grant leases, permits, rights-of-way, or easements shall not be impaired by this withdrawal.

3. This order constitutes final withdrawal action by the Secretary of the Interior under Section 22(j)(2) of the Alaska Native Claims Settlement Act, 43 U.S.C. 1621(j)(2) (1988), to make land available for selection by the Chaluka Corporation, to fulfill the entitlement of the village for Nikolski under Section 12 and Section 14(a) of the Alaska Native Claims Settlement Act, 43 U.S.C. 1611 and 1613 (1988).

4. This withdrawal will terminate 120 days from the effective date of this order; provided, any land selected shall remain withdrawn pursuant to this order until conveyed. Any land described in this order not selected by the corporation shall remain withdrawn as part of the Alaska Maritime National Wildlife Refuge, pursuant to Sections 303(1) and 304(c) of the Alaska National Interest Lands Conservation Act, 16 U.S.C. 668(dd) (1988); and will be subject to the terms and conditions of any other withdrawal of record.

5. It has been determined that this action is not expected to have any significant effect on subsistence uses and needs pursuant to Section 810(c) of the Alaska National Interest Lands Conservation Act, 16 U.S.C. 3120(c) (1988) and this action is exempted from the National Environmental Policy Act of 1969, 83 Stat. 852, by Section 910 of the Alaska National Interest Lands Conservation Act, 43 U.S.C. 1638 (1988).

Dated: September 9, 1994.

Bob Armstrong,

Assistant Secretary of the Interior.

[FR Doc. 94–23225 Filed 9–19–94; 8:45 am]

BILLING CODE 4310–JA–P