13 CFR part 121, or any successor provisions.

* * * * *

(The Office of Management and Budget approved the information collection requirements contained in this section and assigned control number 3069–0057 with an expiration date of April 30, 2000)

Dated: September 10, 1997.

By the Board of Directors of the Federal Housing Finance Board

Bruce A. Morrison,

Chairperson.

[FR Doc. 97–26290 Filed 10–3–97; 8:45 am]

BILLING CODE 6725–01–U

DEPARTMENT OF THE INTERIOR

Minerals Management Service

30 CFR Parts 210 and 218

RIN 1010–AC38

Designation of Payor Recordkeeping

AGENCY: Minerals Management Service, Interior.

ACTION: Interim final rulemaking; notice of extension of public comment period.

SUMMARY: The Minerals Management Service (MMS) hereby gives notice that it is extending the public comment period on an Interim final rulemaking and information collection, which was published in the **Federal Register** on August 5, 1997, (62 FR 42062). In response to requests for additional time, MMS will extend the comment period from October 6, 1997, to November 6, 1997.

DATES: Comments must be submitted on or before November 6, 1997.

ADDRESSES: Comments should be sent to: David S. Guzy, Chief, Rules and Publications Staff, Royalty Management Program, Minerals Management Service, P.O. Box 25165, MS 3021, Denver, Colorado 80225–0165; courier delivery to Building 85, Denver Federal Center, Denver, Colorado 80225; or e-Mail David__Guzy.mms.gov.

FOR FURTHER INFORMATION CONTACT: David S. Guzy, Chief, Rules and Publications Staff, Royalty Management Program, Minerals Management Service, telephone (303) 231–3432, Fax (303) 231–3385, e-Mail David__Guzy@mms.gov.

SUPPLEMENTARY INFORMATION: MMS received requests to extend the comment period in order to provide commenters with adequate time to provide detailed comments to MMS. After this comment period closes, MMS will submit an information collection request to the Office of Management and Budget (OMB) to extend the authority to use the information collection in this Interim Final Rule, titled Designation of Royalty Payment Responsibility (OMB Control Number 1010–0107, expiration date January 31, 1998). We will publish a **Federal Register** notice and respond to any comments received and we will again invite comment on our request to OMB to extend this information collection.

Dated: September 29, 1997.

Lucy Querques Denett,

Associate Director for Royalty Management.

[FR Doc. 97–26355 Filed 10–3–97; 8:45 am]

BILLING CODE 4310–MR–U

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[FRL–5901–7]

Approval and Promulgation of Air Quality Implementation Plans; Connecticut; Reasonably Available Control Technology for Nitrogen Oxides

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is approving a State Implementation Plan (SIP) revision submitted by the State of Connecticut. This revision establishes and requires Reasonably Available Control Technology (RACT) at stationary sources of nitrogen oxides (NO_X). The intended effect of this action is to approve regulatory provisions and source specific orders which require major stationary sources of NO_X to reduce their emissions statewide in accordance with requirements of the Clean Air Act.

DATES: This action is effective December 5, 1997, unless adverse or critical comments are received by November 5, 1997. If the effective date is delayed, timely notice will be published in the **Federal Register**.

ADDRESSES: Comments may be mailed to Susan Studlien, Deputy Director, Office of Ecosystem Protection (mail code CAA), U.S. Environmental Protection Agency, Region I, JFK Federal Building, Boston, MA 02203–2211. Copies of the documents relevant to this action are available for public inspection during normal business hours, by appointment, at the Office Ecosystem Protection, U.S. Environmental Protection Agency, Region I, One Congress Street, 11th floor, Boston, MA; as well as the Bureau of Air Management, Department of Environmental Protection, State Office Building, 79 Elm Street, Hartford, CT 06106–1630.

FOR FURTHER INFORMATION CONTACT: Steven A. Rapp, Environmental Engineer, Air Quality Planning Unit (CAQ), U.S. EPA, Region I, JFK Federal Building, Boston, MA 02203–2211; (617) 565–2773; Rapp.Steve@EPAMAIL.EPA.GOV.

SUPPLEMENTARY INFORMATION:

I. Background

The Clean Air Act (CAA) requires that States develop Reasonably Available Control Technology (RACT) regulations for all major stationary sources of nitrogen oxides (NO_X) in areas which have been classified as ''moderate,'' ''serious,'' ''severe,'' and ''extreme'' ozone nonattainment areas, and in all areas of the Ozone Transport Region (OTR). EPA has defined RACT as the lowest emission limitation that a particular source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility (44 FR 53762; September 17, 1979). This requirement is established by sections 182(b)(2), 182(f), and 184(b) of the CAA.

Major sources in moderate areas are subject to section 182(b)(2), which requires States to adopt RACT for all major sources of VOC. This requirement also applies to all major sources in areas with higher classifications. Additionally, section 182(f) of the CAA states that ''The plan provisions required under this subpart for major stationary sources of volatile organic compounds shall also apply to major stationary sources (as defined in section 302 and subsections (c), (d), and (e) of the section) of oxides of nitrogen.'' For serious nonattainment areas, a major source is defined by section 182(c) as a source that has the potential to emit 50 tons per year. For severe nonattainment areas, a major source is defined by section 182(d) as a source that has the potential to emit 25 tons per year. The entire State of Connecticut is classified as nonattainment for ozone, with the Connecticut portion of the New York-New Jersey-Long Island CMSA being classified as severe, and with the rest of the State being classified as serious.

These CAA NO_X requirements are further described by EPA in a notice entitled, ''State Implementation Plans; Nitrogen Oxides Supplement to the General Preamble; Clean Air Act Amendments of 1990 Implementation of Title I; Proposed Rule,'' published November 25, 1992 (57 FR 55620). The November 25, 1992 notice, also known as the ''NO_X Supplement,'' should be

referred to for more detailed information on NO_X requirements. Additional EPA guidance memoranda, such as those included in the ''NO_X Policy Document for the Clean Air Act of 1990,'' (EPA–452/R–96–005, March 1996), should also be referred to for more information on NO_X requirements. Similarly, the ''Economic Incentive Program Rules,'' or EIP, (67 FR 16690, April 7, 1997) should be referred to for information on EPA's policy concerning the use of emissions trading by sources subject to NO_X RACT.

On May 20, 1997, the Connecticut Department of Environmental Protection (DEP) submitted revisions to its SIP. The revisions included a revised section 22a–174–22 of the Regulations of Connecticut State Agencies, ''Control of Nitrogen Oxides Emissions.'' The Connecticut NO_X RACT regulation contains a combination of NO_X emission limitations, performance standards, and compliance options, including provisions for sources to meet emission limitations through emissions trading. Subsequently, Connecticut submitted a number of case-specific SIP revisions related to the emissions trading provisions of section 22a–174–22. These regulations and case-specific SIP revisions were submitted in response to the CAA requirements that Connecticut require RACT for all major sources of NO_X.

II. State Submittal

Connecticut's regulation 22a–174–22, ''Control of Nitrogen Oxides Emissions,'' was first incorporated into the SIP on May 31, 1972 (37 FR 23085). On February 1, 1994, Connecticut sent a revised draft of the rule to EPA. The regulations were filed with the Secretary of State on May 20, 1994, and became effective on that date. Connecticut submitted the revised section 22a–174–22 as a formal SIP submittal to EPA on May 24, 1994. After reviewing the regulation for completeness, EPA sent Connecticut a June 23, 1994 letter stating that Connecticut's rule had been found to be administratively and technically complete. Subsequently, on September 19, 1996, Connecticut proposed another revision to section 22a–174–22. Connecticut held a public hearing on that revision on October 30, 1996 and EPA submitted written comments to the public record on October 23, 1996. The revised section 22a–174–22 was adopted by Connecticut on January 23, 1997. On May 20, 1997, Connecticut submitted the regulations to EPA as a request for a revision to the SIP. On May 28, 1997, EPA sent a letter to Connecticut deeming the package administratively and technically complete.

In addition to the submittal of section 22a–174–22, since May 1995, Connecticut has submitted 23 case-specific SIP revisions for sources involved in the trading of NO_X credits as allowed under subsection 22a–174–22(j). Of the 23 case-specific packages, four involve the generation of NO_X credits and 19 involve the use of NO_X credits in order to meet NO_X emission reduction requirements of section 22a–174–22.

III. Description of Submittal

The following description concerns the changes being approved in this action. For a more detailed discussion of Connecticut's submittal and EPA's proposed action, the reader should refer to the Technical Support Document (TSD) and attachments which were developed as part of this action. Copies of the TSD and attachments are found at the previously mentioned addresses.

A. Section 22a–174–22

Connecticut's regulation, section 22a–174–22, ''Control of Nitrogen Oxides Emissions,'' is divided into thirteen sections. Subsection (a) defines terms used in the rule. Subsections (b) and (c) cover applicability and exemptions. Applicability is determined unit-by-unit, based on unit type. An emissions unit is subject to the rule if it exceeds a minimum capacity rating and is located at a major source. Additionally, any fuel-burning equipment, whether located at a major stationary source or not, which has daily potential emissions of NO_X in excess of certain thresholds during the ozone season, is also subject to the rule. The regulations exempt sources where actual emissions have not exceeded the major source threshold since 1990 and emergency electricity generating engines. Subsection (c) states that this subsection does not apply to mobile sources.

Subsections (d) and (e) establish the emission limits to apply before and after May 31, 1995. Subsection (d) established the emission limits for sources prior to May 31, 1995. Subsection (d) also lists compliance options available to sources after May 31, 1995. These options are compliance with emission limitations, fuel switching, a 40% emission reduction, source reconstruction, schedule modification, or emission reduction trading. Requirements for each method of compliance are detailed in subsections (f) through (j). Subsection (d) also provides for one year compliance date extensions subject to the approval of the Commissioner and EPA.[1] Subsection (e) establishes the post-May, 1995 emission limits with specific limits for: turbines; cyclone furnaces; fast-response double-furnace Naval boilers; fluidized-bed combustors; ''other boilers;'' reciprocating engines; waste combustors; fuel burning equipment firing fuels other than gas, oil, or coal; glass melting furnace; and other sources providing direct heat. Subsection (e) also contains an emission limit for all other sources not having a specifically defined emission limitation.

Subsection (f) establishes the requirements for multi-fuel sources which co-fire, fuel switch, or completely convert to a different fuel. Sources simultaneously firing more than one fuel are subject to the Btu-weighted average of the applicable emission limits. Sources capable of firing more than one fuel are subject to applicable emission limits for each fuel at the time it is fired, however, if gas or distillate oil is fired exclusively May through September, the source is subject to a limit of 0.20 lb/mmBtu in May through September and a limit of 0.29 lb/mmBtu October through April. If a source converts to a new fuel, the source is subject to 0.29 lb/mmBtu if the primary fuel was previously coal, or 0.225 lb/mmBtu if the primary fuel was previously residual oil.

Subsection (g) establishes the requirements for sources making a 40% emission reduction to comply. The 40% reduction is calculated as the more stringent of a) 60% of the source's emission rate at maximum capacity during 1990 or b) 60% of the applicable pre-May 1995 emission limit established in subsection (d). Subsection (h) establishes the compliance requirements for sources reconstructing or replacing a unit. Pursuant to a permit, these sources must complete reconstruction by May 31, 1999. Prior to May, 1999, the source's emissions are limited to the more stringent of the pre-May 1995 emission limit the source would be subject to under subsection (d) or the emission limit in the source's current permit. In the interim period between May 31, 1995 and May 31, 1999, the source must deposit money into an escrow account equivalent to $1000 times the pounds/day needed to comply with RACT. This money is only returned to the source after the reconstruction is completed. If reconstruction has not been completed by the date required in the permit, the

[1] See EPA's July 5, 1994 policy memorandum entitled, ''Phase-in of Controls Beyond May 1995,'' from John Seitz, Director of the Office of Air Quality Planning and Standards to the regional EPA Air Program Directors.

source may use the escrow money to acquire emission credits.

Subsection (i) establishes the requirements for sources complying through schedule modification. Schedule modification by permit is allowed only if the source can demonstrate to the Commissioner that it is not economically or technically feasible to comply with the emission limitations, fuel switching, or a 40% emission reduction. Subsection (i) applies only to oil-fired turbines or fast-response double-furnace Naval boilers that generate power to create simulated high-altitude atmospheres for the testing of aircraft engines or testing of fuel-burning equipment undergoing research and development.

Subsection (j) establishes the requirements for sources complying with subsection (e) emission limitations through emissions trading. Under subsection (d)(4), compliance through emission reduction trading is allowed only through revisions to the SIP. Therefore, each use of emissions trading for compliance with subsection (e) limits will be reviewed and processed as a separate regulatory action.

Subsection (k) covers requirements for emission testing and monitoring. Units at major sources having stacks which emitted 100 tons per year or more at anytime since 1990 are required to install CEMS. Sources with CEMS are required to demonstrate compliance on a block 24-hour basis, including emissions from start-up, shut-down, and equipment malfunctions. All other sources are required to demonstrate compliance through three 1-hour stack tests. Initial compliance demonstrations were required by May 31, 1995. Sources without CEMS are required to conduct emission tests once every 5 years. Sources may apply for a one-year extension to comply with subsection (k) requirements.

Subsection (l) covers recordkeeping and reporting requirements concerning operating hours, fuel usage, NO_X emissions, equipment maintenance, CEMS records, and emissions testing information. Sources must retain these records for five years. Sources with CEMS are required to submit quarterly excess emissions reports and all sources are required to submit annual emission reports.

Subsection (m) covers compliance plans. Sources were required to submit certified compliance plans to the Commissioner by September 1, 1994.

B. Case-Specific Emission Trading Orders

In addition to the submittal of section 22a–174–22, Connecticut subsequently submitted 23 case-specific SIP revisions for sources involved in the trading of NO_X credits as part of the emission reduction trading option of subsection 22a–174–22(j). These SIP revisions consist of SIP narratives, which describe how Connecticut's actions comply with the State program requirements of the EIP (see 40 CFR Part 51.493), and the trading orders issued by the State, which define the enforceable requirements applicable to the sources involved in trading. Of the 23 case-specific packages, 4 involve the generation of NO_X credits and 19 involve the use of NO_X credits in order to meet the NO_X emission reduction requirements of section 22a–174–22. EPA's analysis in the attachments to the TSD addresses Connecticut's compliance with EPA regulations and guidance concerning the EIP.

The first credit creation submittal involves United Illuminating Company's Station #3 in New Haven. Consent Order no. 8092 was adopted by the State on May 18, 1995, submitted to EPA on May 18, 1995, and deemed complete by EPA on September 12, 1995. The second credit generation consent order, issued to Connecticut Light and Power, Order no. 1494, involves reductions at the Devon, Montville, and Norwalk stations. Order 1494 was adopted on October 15, 1996, submitted to EPA on March 20, 1997, and deemed complete on April 7, 1997. Additionally, Order no. 8116 for the Connecticut Resource Recovery Authority, issued by the State and submitted to EPA on April 22, 1997, and deemed complete by EPA on May 28, 1997, allows for the generation of credit at the Hartford facility. Order No. 8123 allows for the creation of credit at Algonquin Gas Transmission Company's Cromwell facility. Similarly, Order no. 8123 was adopted on April 18, 1997 and submitted to EPA as a SIP revision on April 22, 1997. The package was deemed complete on May 28, 1997.

The remaining case-specific actions involve the use of NO_X credits as described in the following consent orders: (1) Order no. 8093 for Pfizer, Inc., in Groton, adopted on July 19, 1995, submitted to EPA on January 17, 1996 and deemed complete on July 3, 1996; (2) Order no. 8095 for American Ref-Fuel Company of Southeastern Connecticut in Preston, adopted on June 2, 1995, submitted on August 21, 1995 and deemed complete on September 12, 1995; (3) Order no. 8096 for Food Ingredients Company in New Milford, adopted on August 25, 1995, submitted on June 24, 1996 and deemed complete on July 3, 1996; (4) Order no. 8100 for Bridgeport RESCO Company in Bridgeport, adopted on November 2, 1995, submitted on January 30, 1996 and deemed complete on July 3, 1996; (5) Order no. 8105 for Electric Boat Division of General Dynamics in Groton, adopted on October 31, 1995, submitted on January 30, 1996 and deemed complete on July 3, 1996; (6) Order no. 8106 for Connecticut Light and Power Company in Middletown, adopted on October 10, 1995, submitted on January 30, 1996 and deemed complete on July 3, 1996; (7) Order no. 8107 for Northeast Nuclear Energy Company in Waterford, adopted on October 13, 1995, submitted on January 30, 1996 and deemed complete on July 3, 1996; (8) Order no. 8103 for United Illuminating Company's Station #4 in New Haven, adopted on February 14, 1996, submitted on June 17, 1996 and deemed complete on July 3, 1996; (9) Order no. 8102 for United Illuminating's auxiliary boiler in New Haven, adopted on December 15, 1995, submitted on June 20, 1996 and deemed complete on July 3, 1996; (10) Order no. 8118 for South Norwalk Electric Works, South Norwalk, adopted on March 19, 1996, submitted on July 9, 1996 and deemed complete on November 25, 1996; (11) Order no. 8119 for City of Norwich, Department of Public Utilities, adopted on March 4, 1996, submitted on July 11, 1996 and deemed complete on November 25, 1996, (12) Order no. 8115 for the University of Connecticut in Storrs, adopted on November 19, 1996, submitted on February 18, 1997, and deemed complete on April 7, 1997; (13) Order no. 1494 for Connecticut Light and Power's Branford, Cos Cob, Devon, Franklin Drive, Montville, Middletown, South Meadow, Torrington, Tunnel Road, and Norwalk Harbor stations, adopted on October 15, 1996, submitted on March 20, 1997, and deemed complete on April 7, 1997; (14) Order no. 8101 for the State of Connecticut Department of Mental Health and Addiction Services, adopted on July 16, 1996, submitted on March 24, 1997, and deemed complete on April 7, 1997; (15) Order no. 8130 for the State of Connecticut Department of Public Works, adopted on October 16, 1996, submitted on March 24, 1997, and deemed complete on April 7, 1997; (16) Order no. 8132 for Bridgeport Hospital, adopted on September 10, 1996, submitted on March 24, 1997, and deemed complete on April 7, 1997; (17) Order no. 8135 for Bridgeport Hydraulic Company, adopted on December 24, 1996, submitted on March 24, 1997, and deemed complete on April 7, 1997; (18) Order no. 8141 for the Town of Wallingford Department of Public Utilities, adopted on December 27,

1997, submitted on March 24, 1997, and deemed complete on April 7, 1997; (19) Order no. 8113 for Simkins Industries, adopted on November 19, 1996, submitted to EPA on May 19, 1997, and deemed complete on May 28, 1997; and, (20) Order no. 8110 for Yale University, adopted on July 29, 1996, submitted on April 19, 1997, and deemed complete on May 28, 1997.

Additionally, on November 16, 1996, Connecticut submitted supplementary documentation to EPA in support of the emissions trading related consent orders. This documentation included an audit of the NO_X credit creation and credit use in Connecticut as well as a discussion of how the Connecticut program meets the State program requirements of the EIP. These documents have been included in the Technical Support Document (TSD) as Appendix A.

The November 16, 1996 documentation demonstrates that the use of credits for compliance with section 22a–174–22, including the use of one-time or carry over credits during time periods other than when they were generated (i.e., the intertemporal use of credits), is consistent with the requirements of the Connecticut SIP, RFP and ROP plans, and area-wide RACT requirements. The documentation includes an audit of the NO_X RACT trades in Connecticut from June 1995 to December 1995 and shows that there was no increase in NO_X emissions, or ''spiking,'' due to the use of credits for compliance during that time. In fact, Connecticut's audit clearly shows that quantity of credits created during the ozone season of 1995 were greater than the quantity used.

Connecticut's analysis also discusses a number of their NO_X RACT program characteristics which inherently buffer the intertemporal use of credits. First, some of the credit is generated from units which are using additional controls to permanently keep emissions at levels well below their limits. Since some or all of this credit is not used during the season/year that it is generated, it provides a buffer against spiking during that time. Second, most sources operate below the required emission rate limitations, creating a compliance margin of emission reductions which are not assumed in the SIP. This aggregate compliance margin could be quantified relatively easily, particularly for sources with continuous emission monitoring systems. This margin is estimated to be several hundred tons per year. Although concerns have been expressed to EPA about allowing this type of margin to be treated as an individual facility's credit, the aggregate can be viewed as buffering intertemporal credit use statewide regardless of whether a facility's margin would ever be approved as tradeable credit. Furthermore, Connecticut has dealt with the question of the creditability of the compliance margin on a trade-by-trade basis by requiring that a minimum of 10% of credit be retired upon creation and that credit users meet an emission limit which is at least 5% lower than the RACT limits of subsection (e).

Also, the Connecticut documentation discusses a number of other program elements which, although not quantified at this time, could be considered as acting as a trading buffer and helping to ensure that RACT and RFP are maintained. For instance, Connecticut's rule does not provide for alternative RACT limits (i.e., relaxations of the limits set in subsection (e) of the regulation) or compliance date extensions (other than the one year extensions for innovative technologies under subsection (d)(3)). During the first two years of NO_X RACT implementation, Connecticut has followed the policy that since other compliance options are provided for by the regulation, relaxations are not allowed in this program. Admirably, Connecticut has held to this policy and the effectiveness of the regulation to reduce emissions has been greater than if such variances had been allowed under the rule. If Connecticut does, however, ever decide to allow for NO_X RACT variances while simultaneously relying on the increased rule effectiveness for intertemporal credit buffering purposes, EPA will have the ability to evaluate the credit balance situation at that time since such actions must be reviewed and approved by EPA as changes to the SIP.

Given Connecticut's documentation, EPA believes that Connecticut has shown that the quantity of NO_X reductions being achieved by section 22a–174–22 is at least as great as would have been achieved without the trading option. Furthermore, given the inherent buffering characteristics of the program, the RFP and SIP attainment requirements also should continue to be met. Based upon the documentation presented, EPA believes that the emissions trading aspect of the NO_X RACT program meets all applicable EPA guidances.

IV. Issues

Subsections (h) and (i) of the regulation do not explicitly require facilities undergoing reconstruction or utilizing schedule modifications to have RACT orders issued to them and subsequently, to have those orders approved by EPA. However, on June 18, 1996, Carmine DiBattista, Chief, Bureau of Air Management, Connecticut DEP, sent a letter to Susan Studlien, Deputy Director, Office of Ecosystem Protection, U.S. EPA Region I, clarifying that either federally enforceable permits or case-specific SIP revisions will be submitted for the three sources subject to the reconstruction and schedule modification provisions. Furthermore, the letter contained documentation that neither combustion modifications nor add-on controls are technically or economically feasible for the three facilities affected by the schedule modification section of the regulation because these units are operated intermittently or at irregular loads. Given this additional documentation, subsections (h) and (i) are approvable.

V. Final Action

EPA review of the NO_X RACT SIP related submittals, including NO_X RACT regulation 22a–174–22 and the 23 source-specific NO_X emissions trading orders described above, indicates that Connecticut has sufficiently defined the NO_X RACT requirements for the State. Therefore, EPA is approving section 22a–174–22, as submitted on May 20, 1997, as well as the 23 source-specific Connecticut orders, into the SIP at this time.

EPA is publishing this action without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. However, in a separate document in this **Federal Register** publication, EPA is proposing to approve the SIP revision unless adverse or critical comments are filed. This action will be effective December 5, 1997 unless adverse or critical comments are received by November 5, 1997.

If EPA receives such comments, this action will be withdrawn before the effective date by simultaneously publishing a subsequent notice that will withdraw the final action. All public comments received will then be addressed in a subsequent final rule based on this action serving as a proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time. If no such comments are received, the public is advised that this action will be effective on December 5, 1997.

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.

VI. Administrative Requirements

A. Executive Order 12866

This action has been classified as a Table 3 action for signature by the Regional Administrator under the procedures published in the **Federal Register** on January 19, 1989 (54 FR 2214–2225), as revised by a July 10, 1995 memorandum from Mary Nichols, Assistant Administrator for Air and Radiation. The Office of Management and Budget (OMB) has exempted this regulatory action from E.O. 12866 review.

B. Regulatory Flexibility Act

Under the Regulatory Flexibility Act, 5 U.S.C. 600 et. seq., EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. 5 U.S.C. 603 and 604. Alternatively, EPA may certify that the rule will not have a significant impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

SIP approvals under section 110 and subchapter I, part D of the Clean Air Act do not create any new requirements but simply approve requirements that the State is already imposing. Therefore, because the Federal SIP approval does not impose any new requirements, the Administrator certifies that it does not have a significant impact on any small entities affected. Moreover, due to the nature of the Federal-State relationship under the CAA, preparation of a flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The CAA forbids EPA to base its actions concerning SIPs on such grounds. *Union Electric Co.* v. *U.S. EPA*, 427 U.S. 246, 255–66 (1976); 42 U.S.C. 7410(a)(2).

C. Unfunded Mandates

Under section 202 of the Unfunded Mandates Reform Act of 1995 (Unfunded Mandates Act), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate, or to the private sector, of $100 million or more. Under section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the approval action promulgated does not include a Federal mandate that may result in estimated costs of $100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. This Federal action approves pre-existing requirements under State or local law, and imposes no new Federal requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

D. Submission to Congress and the General Accounting Office

Under 5 U.S.C. 801(a)(1)(A) as added by the Small Business Regulatory Enforcement Fairness Act of 1996, EPA submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives and the Comptroller General of the General Accounting Office prior to publication of the rule in today's **Federal Register**. This rule is not a ''major rule'' as defined by 5 U.S.C. 804(2).

E. Petitions for Judicial Review

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by December 5, 1997.

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 nor 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). EPA encourages interested parties to comment in response to the proposed rule rather than petition for judicial review, unless the objection arises after the comment period allowed for in the proposal.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, 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: September 22, 1997.

John P. DeVillars,

Regional Administrator, Region I.

Part 52 of 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 H—Connecticut

2. Section 52.370 is amended by adding paragraph (c)(72) to read as follows:

§ 52.370 Identification of plan.

* * * * *

(c) * * *

(72) Revisions to the State Implementation Plan submitted by the Connecticut Department of Environmental Protection on: May 18, 1995; August 21, 1995; January 17, 1996; January 30, 1996; January 30, 1996; January 30, 1996; January 30, 1996; June 17, 1996; June 20, 1996; June 24, 1996; July 9, 1996; July 11, 1996; February 18, 1997; March 20, 1997; March 24, 1997; March 24, 1997; March 24, 1997; March 24, 1997; March 24, 1997; April 22, 1997; April 22, 1997; May 19, 1997; May 19, 1997; and May 20, 1997.

(i) Incorporation by reference.

(A) Twenty-four letters from the Connecticut Department of Environmental Protection dated: May 18, 1995; August 21, 1995; January 17, 1996; June 24, 1996; January 30, 1996; January 30, 1996; January 30, 1996; January 30, 1996; June 20, 1996; June 17, 1996; July 11, 1996; July 9, 1996; March 24, 1997; May 19, 1997; March 24, 1997; March 20, 1997; March 24, 1997; February 18, 1997; May 19, 1997; March 24, 1997; March 24, 1997; May 20, 1997; April 22, 1997; and April 22, 1997; submitting revisions to the Connecticut State Implementation Plan.

(B) Connecticut Trading Agreement and Order no. 8092 issued to United Illuminating Company's Station #3 in New Haven, effective on May 18, 1995.

(C) Connecticut Trading Agreement and No. 8095 issued to American Ref-Fuel Company of Southeastern Connecticut in Preston, effective on June 2, 1995.

(D) Connecticut Trading Agreement and Order no. 8093 issued to Pfizer, Inc., in Groton, effective on July 19, 1995.

(E) Connecticut Trading Agreement and Order no. 8096 issued to Food Ingredients Company in New Milford, effective on August 25, 1995.

(F) Connecticut Trading Agreement and Order no. 8106 issued to Connecticut Light and Power Company in Middletown, effective on October 10, 1995.

(G) Connecticut Trading Agreement and Order no. 8107 issued to Northeast Nuclear Energy Company in Waterford, effective on October 13, 1995.

(H) Connecticut Trading Agreement and Order no. 8105 issued to Electric Boat Division of General Dynamics in Groton, effective on October 31, 1995.

(I) Connecticut Trading Agreement and Order no. 8100 issued to Bridgeport RESCO Company in Bridgeport, effective on November 2, 1995.

(J) Connecticut Trading Agreement and Order no. 8102 issued to United Illuminating's auxiliary boiler in New Haven, effective on December 15, 1995.

(K) Connecticut Trading Agreement and Order no. 8103 issued to United Illuminating Company's Station #4 in New Haven, effective on February 14, 1996.

(L) Connecticut Trading Agreement and Order no. 8119 issued to the City of Norwich, Department of Public Utilities, effective on March 4, 1996.

(M) Connecticut Trading Agreement and Order no. 8118 issued to South Norwalk Electric Works, South Norwalk, effective on March 19, 1996.

(N) Connecticut Trading Agreement and Order no. 8101 issued to the State of Connecticut Department of Mental Health and Addiction Services, effective on July 16, 1996.

(O) Connecticut Trading Agreement and Order no. 8110 issued to Yale University, effective on July 29, 1996.

(P) Connecticut Trading Agreement and Order no. 8132 issued to Bridgeport Hospital, effective on September 10, 1996.

(Q) Connecticut Trading Agreement and Order no. 1494 issued to Connecticut Light and Power, involving Branford, Cos Cob, Devon, Franklin Drive, Montville, Middletown, South Meadow, Torrington, Tunnel Road, and Norwalk Harbor Stations, effective on October 15, 1996.

(R) Connecticut Trading Agreement and Order no. 8130 issued to the State of Connecticut Department of Public Works, effective on October 18, 1996.

(S) Connecticut Trading Agreement and Order no. 8115 issued to the University of Connecticut in Storrs, effective on November 19, 1996.

(T) Connecticut Trading Agreement and Order no. 8113 issued to Simkins Industries, effective on November 19, 1996.

(U) Connecticut Trading Agreement and Order no. 8135 issued to Bridgeport Hydraulic Company, effective on December 24, 1996.

(V) Connecticut Trading Agreement and Order no. 8141 issued to the Town of Wallingford Department of Public Utilities, effective on December 27, 1996.

(W) Regulations 22a–174–22 ''Control of Nitrogen Oxides Emissions,'' adopted on January 23, 1997, which establishes reasonably available control technology requirements for major stationary sources of nitrogen oxides.

(X) Connecticut Trading Agreement and Order no. 8123 issued to the Algonquin Gas Transmission Company, effective on April 18, 1997.

(Y) Connecticut Trading Agreement and Order no. 8116 issued to the Connecticut Resource Recovery Authority, effective on April 22, 1997.

(ii) Additional materials.

(A) Letter, dated June 18, 1996, from Carmine DiBattista, Chief of the Bureau of Air Management for the Connecticut DEP, to Susan Studlien, Deputy Director of the Office of Ecosystem Protection at U.S. EPA, Region I.

(B) SIP narrative materials, dated May 1995, submitted with Connecticut Trading Agreement and Order no. 8092 for United Illuminating Company's Station #3 in New Haven.

(C) SIP narrative materials, dated August 3, 1995, submitted with Connecticut Trading Agreement and Order no. 8095 for American Ref-Fuel Company of Southeastern Connecticut in Preston.

(D) SIP narrative materials, dated December 1995, submitted with Connecticut Trading Agreement and Order no. 8093 issued to Pfizer, Inc., in Groton.

(E) SIP narrative materials, dated November 1995, submitted with Connecticut Trading Agreement and Order no. 8096 issued to Food Ingredients Company in New Milford.

(F) SIP narrative materials, dated November 1995, submitted with Connecticut Trading Agreement and Order no. 8106 issued to Connecticut Light and Power Company in Middletown.

(G) SIP narrative materials, dated November 1995, submitted with Connecticut Trading Agreement and Order no. 8107 issued to Northeast Nuclear Energy Company in Waterford.

(H) SIP narrative materials, dated October 6, 1995, submitted with Connecticut Trading Agreement and Order no. 8105 issued to Electric Boat Division of General Dynamics in Groton.

(I) SIP narrative materials, dated September 29, 1995, submitted with Connecticut Trading Agreement and Order no. 8100 issued to Bridgeport RESCO Company in Bridgeport.

(J) SIP narrative materials, dated December 1995, submitted with Connecticut Trading Agreement and Order no. 8102 issued to United Illuminating's auxiliary boiler in New Haven.

(K) SIP narrative materials, dated March 1996, submitted with Connecticut Trading Agreement and Order no. 8103 issued to United Illuminating Company's Station #4 in New Haven.

(L) SIP narrative materials, dated May 31, 1995, submitted with Connecticut Trading Agreement and Order no. 8119 issued to the City of Norwich, Department of Public Utilities.

(M) SIP narrative materials, dated May 31, 1995, submitted with Connecticut Trading Agreement and Order no. 8118 issued to South Norwalk Electric Works, South Norwalk.

(N) SIP narrative materials, dated March 1997, submitted with Connecticut Trading Agreement and Order no. 8101 issued to the State of Connecticut Department of Mental Health and Addiction Services.

(O) SIP narrative materials, dated May 1997, submitted with Connecticut Trading Agreement and Order no. 8110 issued to Yale University.

(P) SIP narrative materials, dated March 1997, submitted with Connecticut Trading Agreement and Order no. 8132 issued to Bridgeport Hospital.

(Q) SIP narrative materials, dated March 1997, submitted with Connecticut Trading Agreement and Order no. 1494 issued to Connecticut Light and Power, involving Branford, Cos Cob, Devon, Franklin Drive, Montville, Middletown, South Meadow, Torrington, Tunnel Road, and Norwalk Harbor Stations.

(R) SIP narrative materials, dated March 1997, submitted with Connecticut Trading Agreement and Order no. 8130 issued to the State of Connecticut Department of Public Works.

(S) SIP narrative materials, dated February 1996, submitted with Connecticut Trading Agreement and Order no. 8115 issued to the University of Connecticut in Storrs.

(T) SIP narrative materials, dated May 1997, submitted with Connecticut Trading Agreement and Order no. 8113 issued to Simkins Industries.

(U) SIP narrative materials, dated March 1997, submitted with Connecticut Trading Agreement and

Order no. 8135 issued to Bridgeport Hydraulic Company.

(V) SIP narrative materials, dated March 1997, submitted with Connecticut Trading Agreement and Order no. 8141 issued to the Town of Wallingford Department of Public Utilities.

(W) SIP narrative materials, dated April 1997, submitted with Connecticut Trading Agreement and Order no. 8123 issued to the Algonquin Gas Transmission Company.

(X) SIP narrative materials, dated April 1997, submitted with Connecticut Trading Agreement and Order no. 8116 issued to the Connecticut Resource Recovery Authority.

3. Section 52.385 is added to read as follows:

§ 52.385 EPA-approved Connecticut regulations.

The following table identifies the State regulations which have been submitted to and approved by EPA as revisions to the Connecticut State Implementation Plan. This table is for informational purposes only and does not have any independent regulatory effect. To determine regulatory requirements for a specific situation, consult the plan identified in § 52.370. To the extent that this table conflicts with § 52.370, § 52.370 governs.

TABLE 52.384—EPA-APPROVED REGULATIONS

Connecticut State citation	Title/subject	Dates		Federal Register citation	Section 52.370	Comments/description
		Date adopted by State	Date approved by EPA			
19–508	Connecticut Air Implementation Plan.	3/3/72	5/31/72	37 FR 10842	(c) 1&2	State of CT Air Implementation Plan.
		8/10/72	5/14/73	38 FR 12696	(c) 3	Correction to submission dates for supplemental information.
		4/9/74	6/2/75	40 FR 23746	(c) 5	Identification of Air Quality Maintenance Areas.
		8/10/76	11/29/77	42 FR 60753	(c) 7	Adds carbon monoxide/oxidant control strategy and regulations.
		6/30/77	9/29/78	43 FR 44840	(c) 8	Describes air quality surveillance program.
22a–171	Small Business Assistance.	1/12/93	5/19/94	59 FR 26123	(c) 65	Established small business compliance and technical assistance program.
22a–174–1	Definitions	4/01/72	5/31/72	37 FR 23085	(b).	
		5/31/72	12/23/80	45 FR 84769		Adds definitions for PSD and NSR program. EPA took no action because CT did not submit regulations.
		12/13/84	7/18/85	50 FR 29229	(c) 34	Revision to the definition of VOC adding 7 non-reactive compounds to exempt list.
		12/27/88	2/23/93	58 FR 10957	(c) 56	Changes definitions of ''actual emissions'' and ''potential emissions'' throughout regulations.
22a–174–2	Registration requirements for existing stationary sources of air pollutants.	4/04/72	5/31/72	37 FR 23085	(b).	
		8/31/79	12/23/80	45 FR 84769	(c) 11	In tandem with changes to Regulation 3, sources existing prior to 1972 must register.
22a–174–3	Permits for construction and operation of stationary sources.	4/04/72	5/31/72	37 FR 23085	(b)	Conditional approval of NSR program.
		8/30/79	12/23/80	45 FR 84769	(c)11	EPA conditionally approved changes to meet federal New Source Review (NSR) requirements. CT did not submit Prevention of Significant Determination program.

TABLE 52.384—EPA-APPROVED REGULATIONS—Continued

Connecticut State citation	Title/subject	Dates		Federal Register citation	Section 52.370	Comments/description
		Date adopted by State	Date approved by EPA			
		8/31/79	1/07/82	47 FR 762	(c) 20	Final approval of NSR Rules removing conditions of 12/23/80.
		10/10/80	1/07/82	47 FR 762	(c) 20	Allows conditional exemption of resource recovery facilities from offset transactions.
		10/10/80	1/07/82	47 FR 762	(c) 20	Replaces the word ''actual'' with word ''allowable''.
		12/27/88	2/23/93	58 FR 10957	(c) 56	Changes to NSR and PSD requirements.
22a–174–4	Source monitoring, record keeping, reporting and authorization of inspection of air pollution sources.	4/04/72	5/31/72	37 FR 23085	(b).	
		10/31/77	12/23/80	45 FR 84769	(c) 11	Clarifies record keeping and reporting requirements and rescinds smoke monitoring requirements for small sources.
		12/15/80	8/24/82	47 FR 36822	(c) 20	Rescinded requirements for smoke monitors on sources less than 250 mmBtu.
		12/27/88	2/23/93	58 FR 10957	(c) 56	Changes to opacity continuous emission monitoring (CEM) requirements.
22a–174–5	Methods for sampling, emission testing, and reporting.	4/04/72	5/31/72	37 FR 23085	(b).	
		10/05/77	12/23/80	45 FR 84769	(c) 11	Tied State testing method requirement to federal requirements, clarified requirements for stack testing, and eliminated record keeping and reporting requirements.
		12/19/80	8/28/81	46 FR 43418	(c) 16	Revisions to source monitoring and stack testing requirements for SO2.
22a–174–6	Air Pollution Emergency Episode Procedures.	4/04/72	5/31/72	37 FR 23085	(b).	
		8/31/79	12/23/80	45 FR 84769	(c) 11	Allows DEP to separately limit mobile and stationary sources depending upon the cause of the episode.
22a–174–7	Malfunction of Control Equipment; Reporting.	4/04/72	5/31/72	37 FR 23085	(b).	
22a–174–8	Compliance Plans and Schedules.	4/04/72	5/31/72	37 FR 23085	(b).	
22a–174–9	Prohibition of air pollution.	4/04/72	5/31/72	37 FR 23085	(b).	
		8/31/79	12/23/80	45 FR 84769	(c) 11	Non-substantive numbering change.

TABLE 52.384—EPA-APPROVED REGULATIONS—Continued

Connecticut State citation	Title/subject	Dates		Federal Register citation	Section 52.370	Comments/description
		Date adopted by State	Date approved by EPA			
		8/31/79	8/12/83	48 FR 36579	(c) 11.	Full authority delegated for NSPS and NESHAPS.
			12/6/91	56 FR 63875		Delegation of new subparts.
22a–174–10	Public Availability of Information.	4/04/72	5/31/72	37 FR 23085	(b).	
22a–174–11	Prohibition against concealment of circumvention.	4/04/72	5/31/72	37 FR 23085	(b).	
22a–174–12	Violations and enforcement.	4/4/72	5/31/72	37 FR 23085	(b).	
22a–174–13	Variances	4/4/72	5/31/72	37 FR 23085	(b).	
		8/31/79	12/23/80	45 FR 84769	(c) 11	Non-substantive numbering change.
22a–174–14	Compliance with regulation no defense to nuisance claim.	4/04/72	5/31/72	37 FR 10842	(b).	
22a–174–15	Severability	4/4/72	5/31/72	37 FR 10842	(b).	
22a–174–16	Responsibility to comply with applicable regulations.	4/4/72	5/31/72	37 FR 10842	(b).	
22a–174–17	Control of open burning.	4/04/72	5/31/72	37 FR 10842	(b).	
22a–174–18	Control of particulate emissions.	4/4/72	5/31/72	37 FR 10842	(b).	
		11/30/73	4/16/74	39 FR 13651	52.375	Allowed Hartford Electric Light & Connecticut Light & Power Supplies to use nonconforming fuel from 12/3/73 to 1/1/74.
		7/11/81	9/23/82	47 FR 41958	(c) 22	Defines TSP RACT for fuel burning equipment and process sources including cupolas, foundries, and hot mix asphalt plants.
22a–174–19	Control of sulfur compound emissions.	4/4/72	5/31/72	37 FR 23085	(b).	
		11/30/73	4/16/74	39 FR 13651	52.375	Allowed Hartford Electric Light and Connecticut Power and Light to use nonconforming fuel.
		4/3/79	7/30/79	44 FR 44498	(c) 10	Allowed Northeast Utilities to purchase, store, and burn nonconforming fuel.
		9/8/80	4/27/81	46 FR 23412	(c) 12	Variance for Federal Paperboard, Inc.
		12/19/80 & 3/11/81	8/28/81	46 FR 43418	(c) 14	Amends sulfur control strategy.
		3/11/81 & 7/15/81	8/28/81	46 FR 43418	(c) 15	Amends New Source Ambient Impact Analysis Guideline.
		3/17/81	10/23/81	46 FR 51914	(c) 17	Variance for Uniroyal, Inc.
		11/2/81	11/18/81	46 FR 56612	(c) 18	Approval State Energy Trade program.
		11/14/75	11/18/81	46 FR 56612	52.380 (e)(1)	EPA disapproval revision which allows exemption for home heating with coal, historic demonstrations, and other small sources.

TABLE 52.384—EPA-APPROVED REGULATIONS—Continued

Connecticut State citation	Title/subject	Dates		Federal Register citation	Section 52.370	Comments/description
		Date adopted by State	Date approved by EPA			
		11/12/81	12/22/81	46 FR 62062	(c) 19	Variances for United Technologies Corp., Pratt & Whitney Aircraft Division facilities in New Haven and Middletown.
		7/7/81	11/12/82	47 FR 51129	(c) 24	Variance for Sikorsky Aircraft—approved under the State Energy Trade Program.
		5/27/82	2/8/83	48 FR 5723	(c) 26	Variance for Dow Chemical—approved under the State Energy Trade Program.
		12/15/82	5/4/83	48 FR 20051	(c) 27	Variance for Lydall, Inc.—approved under the State Energy trade (SET) Program.
		11/1/82	6/28/83	48 FR 29689	(c) 28	Simkins Industries—approved under the State Energy Trade Program.
		3/28/83	12/20/83	48 FR 56218	(c) 30	Variance for Loomis Institute—approved under the State Energy Trade Program.
		2/19/93	1/18/94	59 FR 2531	(c) 63	Changes requirements at Himilton Standard Division of UTC.
22a–174–20	Control of organic compound emissions.	4/4/72	5/31/72	37 FR 23085	(b).	
		8/31/79	12/23/80	45 FR 84769	(c) 11	Requirements for certain Group I CTG source categories. Conditionally approved cutback asphalt and solvent metal cleaning categories.
		10/10/80	1/17/82	47 FR 762	(c) 20	Requirements for cutback asphalt (Group I—CTG).
		10/10/80	2/17/82	47 FR 6827	(c) 25	Requirements for Group II CTGs exclusive of controlling gasoline tank truck leaks, petroleum liquid storage external floating roof tanks, manufacture of vegetable oil, pneumatic rubber tire categories. Other VOC rules.
		10/10/80	6/7/82	47 FR 24452	(c) 23	Alternative emission reduction provisions.
		12/10/82	2/1/84	49 FR 3989	(c) 29	Requirements for small open top degreasers (Group I—CTG).
		9/24/83	2/1/84	49 FR 3989	(c) 29	Exempts colds cleaners at auto repair facilities.
		9/24/83	3/21/84	49 FR 10542	(c) 32	Adds degreasing requirements for conveyorized and cold cleaning operations.
		8/31/79	3/21/84	49 FR 10542	(c) 32	Requirements for solvent metal cleaning (Group I CTG).

TABLE 52.384—EPA-APPROVED REGULATIONS—Continued

Connecticut State citation	Title/subject	Dates		Federal Register citation	Section 52.370	Comments/description
		Date adopted by State	Date approved by EPA			
		9/24/83	3/21/84	49 FR 10542	(c) 32	Exempts storage vessels from submerged fill. Delays effective date of Stage I vapor recovery by 1 year. Requires RACT for all major sources of VOC not covered under a CTG document.
		9/24/83	10/19/84	49 FR 41026	(c) 33	Adds major non-ctg sources covered by 20(ee) to applicability, compliance, alternative emission reduction and seasonal operation after burner provisions.
		12/13/84	7/18/85	50 FR 29229	(c) 34	Revision to cutback asphalt regulation. Requires facilities with external floating roofs to install secondary seats. Changes to gasoline tank truck regulation.
		4/23/86	11/20/86	51 FR 41963	(c) 36	VOC RACT for Connecticut Charcoal Company.
		4/28/86	2/19/87	52 FR 5104	(c) 37	VOC RACT for King Industries.
		8/8/87	12/17/87	52 FR 47925	(c) 39	VOC RACT for Belding Corticelli Thread Company.
		5/28/86	2/17/88	51 FR 4621	(c) 41	Effective date clarification for Connecticut Charcoal.
		9/24/87	4/11/88	53 FR 11847	(c) 42	VOC RACT for Raymark Industries, Inc.
		2/2/87	5/19/88	53 FR 17934	(c) 38	Clarifies applicability of VOC compliance methods for surface coating sources.
		3/17/87	5/19/88	53 FR 17934	(c) 38	Adds regulations for SOCMI fugitive leaks and polystyrene resins.
		8/21/87	7/12/88	53 FR 26256	(c) 44	VOC RACT for Spongex International Ltd.
		12/26/86	8/1/88	53 FR 28884	(c) 43	VOC RACT for American Cyanamid Company.
		10/27/88	3/8/89	54 FR 9781	(c) 48	VOC RACT for Dow Chemical, U.S.A.
		6/7/88	3/24/89	54 FR 12193	(c) 46	VOC RACT for New Departure Hyatt.
		12/14/88	4/10/89	54 FR 14226	(c) 49	VOC RACT for Stanadyne.
		3/22/89	5/30/89	54 FR 22891	(c) 51	VOC RACT for Pratt & Whitney Division of UTC.
		12/30/88	6/2/89	54 FR 23650	(c) 50	Changes limit on volatility of gasoline.
		10/19/87	11/28/89	54 FR 48885	(c) 47	VOC RACT for Frismar, Inc.
		10/18/88	11/39/89	54 FR 49284	(c) 52	VOC RACT for Pfizer, Inc.
		9/5/89	12/22/89	54 FR 52798	(c) 53	VOC RACT for Uniroyal Chemical Co.
		11/29/89	3/12/90	55 FR 9121	(c) 54	VOC RACT for Hamilton Standard Division of United Technologies Corp.

TABLE 52.384—EPA-APPROVED REGULATIONS—Continued

Connecticut State citation	Title/subject	Dates		Federal Register citation	Section 52.370	Comments/description
		Date adopted by State	Date approved by EPA			
		11/2/88	3/14/90	55 FR 9442	(c) 55	VOC RACT for Heminway & Bartlett Manufacturing Company.
		10/31/89	10/18/91	56 FR 52205	(c) 58	Changes applicability to facilities with >=15 pounds VOC per day.
		10/31/89	10/18/91	56 FR 52205	(c) 58	Various changes to Section 20 approved.
		9/1/93	11/19/93	58 FR 61041		Withdrawal of NPR for Sikorsky Aircraft Division of UTC, Bridgeport.
22a–174–21	Control of carbon monoxide emissions.	4/4/72	5/31/72	37 FR 23085	(b).	
		9/21/82	3/21/84	49 FR 10542	(c) 32	CO attainment plan.
22a–174–22	Control of nitrogen oxide emissions.	4/472	5/31/72	37 FR 23085	(b).	
		8/31/79	12/23/80	49 FR 84769	(c) 11	Exemption of fast response double furnace naval burners and cyclone furnaces (not addressed by EPA).
		5/18/95	10/6/97		(c) 72	Case-specific trading order for United Illuminating's Station #3, in New Haven.
		6/2/95	10/6/97		(c) 72	Case-specific trading order for American Ref-Fuel of Southeastern Connecticut in Preston.
		7/19/95	10/6/97		(c) 72	Case-specific trading order for Pfizer, Inc. in Groton.
		8/25/95	10/6/97		(c) 72	Case-specific trading order for Food Ingredients Specialties, Inc. in New Milford.
		10/10/95	10/6/97		(c) 72	Case-specific trading order for Connecticut Light and Power in Middletown.
		10/13/95	10/6/97		(c) 72	Case-specific trading order for Northeast Nuclear Energy Co. in Waterford.
		10/31/95	10/6/97		(c) 72	Case-specific trading order for Electric Boat Division of General Dynamics in Groton.
		11/2/95	10/6/97		(c) 72	Case-specific trading order for Bridgeport RESCO Co. in Bridgeport.
		12/15/95	10/6/97		(c) 72	Case-specific trading order for United Illuminating's auxiliary boiler, in New Haven.
		2/14/96	10/6/97		(c) 72	Case-specific trading order for United Illuminating's Station #4, in New Haven.
		3/4/96	10/6/97		(c) 72	Case-specific trading order for Norwich Department of Public utilities.
		3/19/96	10/6/97		(c) 72	Case-specific trading order for South Norwalk Electric Works.

TABLE 52.384—EPA-APPROVED REGULATIONS—Continued

Connecticut State citation	Title/subject	Dates		Federal Register citation	Section 52.370	Comments/description
		Date adopted by State	Date approved by EPA			
		7/16/96	10/6/97		(c) 72	Case-specific trading order for the Connecticut Dept. of Mental Health and Addiction Services.
		7/29/96	10/6/97		(c) 72	Case-specific trading order for Yale University.
		9/10/96	10/6/97		(c) 72	Case-specific trading order for Bridgeport Hospital.
		10/15/96	10/6/97		(c) 72	Case-specific trading order for Connecticut Light & Power's Branford, Cos Cob, Devon, Franklin Drive, Montville, Middletown, South Meadow, Torrington, Tunnel Road, and Norwalf Harbor stations.
		10/18/96	10/6/97		(c) 72	Case-specific trading order for the Connecticut Department of Public Works.
		11/19/96	10/6/97		(c) 72	Case-specific trading order for University of Connecticut in Storrs.
		11/19/96	10/6/97		(c) 72	Case-specific trading order for Simkins Industries.
		12/24/96	10/6/97		(c) 72	Case-specific trading order for Bridgeport Hydraulic Company.
		12/27/96	10/6/97		(c) 72	Case-specific trading order for the Town of Wallingford Dept. of Public Utilities.
		1/23/97	10/6/97		(c) 72	Establishes NO_X RACT regulations and source-specific requirements.
		4/18/97	10/6/97		(c) 72	Case-Specific trading order for Algonquin Gas Transmission Company.
		4/22/97	10/6/97		(c) 72	Case-specific trading order for the Connecticut Resource Recovery Authority.
22a–174–23	Control of Odors	4/4/72	5/31/72	37 FR 23085	(b).	
	Rescinded from Federal SIP.	8/31/79	12/23/80	45 FR 84769	(c) 11	EPA has no authority to control odors.
22a–174–24	Connecticut primary and secondary standards.	4/4/72	5/31/72	37 FR 23085	(b).	
		7/11/81	11/18/81	46 FR 56612	(c) 18	Eliminated State 24-hour and annual standard for SO2.
		10/8/80	2/17/82	47 FR 6827	(c) 25	Adopted ambient air quality standards for lead and revised the ozone standard.
		10/8/80	8/24/82	47 FR 36822	(c) 20	EPA took ''no action'' on definition of the term ''acceptable method'' because did not ensure consistency with EPA monitoring regulations.

TABLE 52.384—EPA-APPROVED REGULATIONS—Continued

Connecticut State citation	Title/subject	Dates		Federal Register citation	Section 52.370	Comments/description
		Date adopted by State	Date approved by EPA			
		10/8/80	11/2/82	47 FR 49646	(c) 20	Correction to subparagraph designation.
		10/8/80	12/13/85	50 FR 50906	(c) 35	Approved definition of acceptable method.
		2/25/91	3/24/92	57 FR 10139	(c) 61	Requires use of low sulfur fuels at Connecticut Light & Power in Montville.
		2/14/92	11/20/92	57 FR 54703	(c) 59	Requires use of low sulfur fuels at Stones CT Paperboard Corp.
		2/5/92	11/20/92	57 FR 54703	(c) 59	Requires use of low sulfur fuel at Hartford Hospital.
22a–174–25	Effective date	4/4/72	5/31/72	37 FR 23085	(b).	
22a–174–27	Emission Standards for Motor Vehicles.	9/24/82	3/21/84	49 FR 10542	(c) 32	Exhaust ''emission standards'' for periodic motor vehicle inspection and maintenance.
14–164C	Periodic Motor Vehicle Emissions Inspection and Maintenance.	7/27/82	3/21/84	49 FR 10542	(c) 32	Department of Motor Vehicle Regulations establishing specifications for Connecticut I&M program.
22a–174–30	Gasoline Vapor Recovery.	1/12/93	12/17/93	58 FR 65930	(c) 62	Requires Stage II vapor recovery from gasoline dispensers.
			1/18/94	59 FR 2649	(c) 62	Correction to 12/17/93 notice.
22a–174–100	Permits for construction of indirect sources Rescinded from federal SIP.	1/9/74	2/25/74	39 FR 7280	(c) 4	Requires review of air impacts of indirect sources.
		8/20/74	2/13/76	41 FR 6765	(c) 6	Added indirect source review (ISR) regulations.
		6/30/77	1/26/79	44 FR 5427	(c) 9.	
		NA	12/23/79	45 FR 84769	(c) 11	SIP shown to attain standards as expeditiously as practicable without ISR regulation.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[SIPTRAX No.VA–076–5028; FRL–5904–2]

Approval and Promulgation of Air Quality Implementation Plans; Virginia: Determination of Attainment of Ozone Standard and Applicability of Certain Requirements in the Richmond Area

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA has determined that the Richmond moderate ozone nonattainment area has attained the 1-hour .12 parts per million (ppm) National Ambient Air Quality Standard (NAAQS) for ozone. This determination is based upon the latest four years of ambient air monitoring data for the years 1993–96 that demonstrate that the 1-hour ozone NAAQS is being attained in this area. EPA has also determined that the Richmond area has continued to attain the 1-hour standard to date. On the basis of this determination, EPA is also determining that certain reasonable further progress and attainment demonstration requirements, along with certain other related requirements of part D of Title I of the Clean Air Act (CAA), are not applicable to the Richmond area so long as this area continues to attain the ozone NAAQS, or until the area is redesignated to attainment.

EFFECTIVE DATE: This final rule is effective on November 5, 1997.

ADDRESSES: Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air, Radiation, and Toxics Division, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107.

FOR FURTHER INFORMATION CONTACT: Kristeen Gaffney, Ozone/Carbon Monoxide and Mobile Sources Section (3AT21), U.S. Environmental Protection Agency—Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107, or by telephone at: (215) 566–2092. Questions may also be sent via e-mail, to the following address: Gaffney.Kristeen@epamail.epa.gov.