as amended (7 U.S.C. 136(b), 136(u) and 136w(a).

§ 35.155 [Amended]

2. Section 35.155 is amended by redesignating the second paragraph (c) as paragraph (d).

[FR Doc. 95–824 Filed 1–11–95; 8:45 am]

BILLING CODE 6560–50–P

40 CFR Part 52

[PA25–1–6683; FRL–5133–6]

Approval and Promulgation of Air Quality Implementation Plans; Commonwealth of Pennsylvania—Emission Statement Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is approving a State Implementation Plan (SIP) revision submitted by the Commonwealth of Pennsylvania. This revision consists of an emission statement program for stationary sources which emit volatile organic compounds (VOCs) and/or nitrogen oxides (NOx) at or above specified actual emission threshold levels. The intended effect of this action is to approve in the Commonwealth of Pennsylvania a regulation for annual reporting of actual emissions by sources that emit VOC and/or NOx in accordance with section 182(a)(3)(B) of the Clean Air Act Amendments (CAAA). This action is being taken under section 110 of the Clean Air Act.

EFFECTIVE DATE: This rule will become effective on February 13, 1995.

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; the Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460; and Commonwealth of Pennsylvania Department of Environmental Resources Bureau of Air Quality Control, P.O. Box 8468, Market Street Office Bldg., Harrisburg, PA 17105–8468.

FOR FURTHER INFORMATION CONTACT: Enid A. Gerena, Environmental Protection Agency, Air, Radiation, and Toxics Division, 841 Chestnut Building, Philadelphia, PA 19107, (215) 597–8239.

SUPPLEMENTARY INFORMATION: On July 15, 1994 (59 FR 36128), EPA published a notice of proposed rulemaking (NPR) for the Commonwealth of Pennsylvania. The NPR proposed approval of the Commonwealth of Pennsylvania's Emission Statement Program. The formal SIP revision was submitted on November 12, 1992.

The Pennsylvania Department of Environmental Resources (PADER) submitted a revision to the Pennsylvania's SIP which establishes emissions statement reporting requirements for stationary sources that emit of nitrogen oxides (NO_x) and volatile organic compounds (VOCs), above specified actual emission applicability thresholds.

Other specific requirements of the SIP revision on Emission Statements and the rationale for EPA's proposed action are explained in the NPR and will not be restated here. No public comments were received on the NPR.

Final Action

EPA is approving amendments to the regulation at Title 25 Pa. Code chapter 135, to add section 135.5, Recordkeeping, and section 135.21, Emission Statements, as a revision to the Commonwealth of Pennsylvania SIP. Nothing in this section 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.

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 an October 4, 1993 memorandum from Michael Shapiro, Acting Assistant Administrator for Air and Radiation. The OMB has exempted this regulatory action from E.O. 12866 review.

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by March 13, 1995. 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 to approve Pennsylvania's Emissions Statement Program may not be challenged later in proceedings to enforce its requirements. (See section 307 (b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Oxides of nitrogen, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: December 16, 1994.

Stanley L. Laskowski,

Acting Regional Administrator, Region III.

40 CFR part 52 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 NN—Commonwealth of Pennsylvania

2. Section 52.2020 is amended by adding paragraph (c)(96) to read as follows:

§ 52.2020 Identification of plan.

* * * * *

(c) * * *

(96) Revisions to the Commonwealth of Pennsylvania Regulations State Implementation Plan submitted on November 12, 1992 by the Pennsylvania Department of Environmental Resources:

(i) Incorporation by reference.

(A) Letter of November 12, 1992 from the Pennsylvania Department of Environmental Resources transmitting a revised regulation to establish emission statements requirements annually for sources of nitrogen oxides and volatile organic compounds.

(B) Revisions to amend 25 Pa. Code, specifically to include section 135.5 and section 135.21. Effective on October 10, 1992.

[FR Doc. 95–735 Filed 1–11–95; 8:45 am]

BILLING CODE 6560–50–P

40 CFR Part 52

[WI42–01–6623; FRL–5087–8]

Approval and Promulgation of Air Quality Implementation Plans; Wisconsin; Revision to the State Implementation Plan Vehicle Inspection and Maintenance Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: In this action, the EPA is taking action to approve portions and

conditionally approve other portions of the Wisconsin State Implementation Plan (SIP) for attainment of the National Ambient Air Quality Standards for ozone. On November 15, 1993, Wisconsin submitted a SIP revision request to the EPA to satisfy the requirements of section 182(a)(2) of the Clean Air Act (Act), and the Federal motor vehicle inspection and maintenance (I/M) rule at 40 CFR part 51, subpart S. This revision establishes and requires the implementation of an enhanced I/M program in the Milwaukee-Racine, and the Sheboygan ozone nonattainment areas. On July 14, 1994, the EPA published a Notice of Proposed Rulemaking (NPRM) for the State of Wisconsin. The NPRM proposed approval of portions of the Wisconsin I/M SIP and conditional approval of other portions on the condition that the State submit additional materials to the EPA during the public comment period on the EPA's proposed rulemaking. On July 28, 1994, the State of Wisconsin supplied the EPA with a supplementary SIP submittal. The EPA received no comments on the NPRM. Therefore the EPA is publishing this final action.

EFFECTIVE DATE: This rule will become effective on February 13, 1995.

ADDRESSES: Copies of the State's submittals and the EPA's technical support document (TSD) are available for public review at the U.S. Environmental Protection Agency, Region 5, Air and Radiation Division, Air Toxics and Radiation Branch, Regulation Development Section, 77 West Jackson Boulevard, Chicago, Illinois, 60604. Interested persons wanting to examine these documents should make an appointment at least 24 hours before the visiting day.

FOR FURTHER INFORMATION CONTACT: John M. Mooney, (312) 886–6043.

SUPPLEMENTARY INFORMATION:

I. Introduction

The CAA requires States to make changes to improve existing I/M programs or implement new ones. Section 182 requires any ozone nonattainment area, which has been classified as ''marginal'' (pursuant to section 181(a) of the CAA) or worse, with an existing I/M program that was part of a SIP, or any area that was required by the 1977 Amendments to the CAA to have an I/M program, to immediately submit a SIP revision to bring the program up to the level required in past EPA guidance or to what had been committed to previously in the SIP, whichever is more stringent. In addition, all ozone nonattainment areas classified as moderate or worse must implement a ''basic'' or an ''enhanced'' I/M program depending upon their classifications, regardless of previous requirements.

In addition, Congress directed the EPA in section 182(a)(2)(B) to publish updated guidance for State I/M programs, taking into consideration findings of the Administrator's audits and investigations of these programs. The States were to incorporate this guidance into the SIP for all areas required by the CAA to have an I/M program.

II. Background

The State of Wisconsin currently contains 2 ozone nonattainment areas that are required to implement I/M programs in accordance with the Act. The Milwaukee-Racine ozone nonattainment area is classified as severe-17 and contains the following 6 counties: Kenosha, Racine, Milwaukee, Ozaukee, Waukesha, and Washington Counties. The Sheboygan ozone nonattainment area is classified as moderate and contains 1 county: Sheboygan County. These designations for ozone were published in the **Federal Register** at 56 FR 56694 (November 6, 1991) and 57 FR 56762 (November 30, 1992), and codified at 40 CFR 81.300–81.437.

On November 15, 1993, the Wisconsin Department of Natural Resources (WDNR) submitted a SIP revision to the EPA that provided for an I/M program in the Milwaukee-Racine and Sheboygan nonattainment areas. Under the requirements of the EPA completeness review procedures, 40 CFR part 51, Appendix V, and the requirements of section 110(k) of the CAA, the submittal was deemed complete by the EPA on January 4, 1994.

In its original review of the State's submittal, the EPA found several areas that did not meet the requirements of the I/M rule. Since the EPA's July 14, 1994, Notice of Proposed Rulemaking, the State has submitted additional materials to meet many of these requirements and provided commitments to adopt and submit additional materials, as necessary, to receive conditional approval on other requirements. These areas are summarized below.

On July 14, 1994, the EPA published a notice proposing approval for portions of the State's submittal, and proposing conditional approval or disapproval on the other sections of the original submittal, despite several deficiencies in the original submittal. This proposed action was made contingent on the State submitting the missing materials 2 weeks prior to the close of the public comment period.

III. State's Supplemental Submittal

On July 28, 1994, the WDNR submitted supplementary materials to the EPA related to the I/M program in the Milwaukee-Racine and Sheboygan areas in order to remedy the deficiencies in the State's original submittal.

IV. The EPA's Analysis of the State's Supplemental Submittal

The following summary of the State's supplemental submittal is limited to the sections of the State's original submittal that were identified as deficient in the EPA's NPRM. For a discussion of the rest of the State's submittal, see the July 15, 1994 NPRM (59 FR 36123).

A. Enhanced and Basic I/M Performance Standard

While the original submittal addressed some of the requirements of 40 CFR 51.351, the State had not formally submitted the required modeling demonstration. In its supplementary submittal, the State formally submitted a modeling demonstration using the EPA computer model MOBILE5a, which showed that the enhanced performance standard is met in the Milwaukee-Racine and the Sheboygan areas. This modeling demonstration included an estimate of the impact that exempt vehicles will have on emissions reductions achieved by the I/M program. The program still meets the enhanced I/M performance standard after accounting for exempt vehicles. As a result, this section is approvable.

B. Network Type and Program Evaluation

The original submittal did not fully satisfy 40 CFR section 51.353, because it did not include requirements for schedules and methodologies for program evaluation. The State's supplemental submittal institutes a continuous ongoing evaluation program consistent with the Federal I/M rule. The results of the evaluation program will be reported to the EPA on a biennial basis. The supplemental submittal together with the original submittal satisfies 40 CFR 51.353.

C. Adequate Tools and Resources

The original submittal did not fully satisfy 40 CFR 51.354, because it did not include a demonstration that sufficient funds, equipment and personnel are available to meet the program operation requirements of the I/M rule. The State's supplemental submittal included a

narrative describing the budget process, staffing support, and equipment needed to implement the program. This description together with the original submittal satisfies 40 CFR 51.354.

D. Test Frequency and Convenience

The original submittal did not fully satisfy 40 CFR 51.355 due to the fact that Wisconsin's adopted legislation had not yet been formally submitted to the EPA. In its supplemental submittal WDNR officially submitted its 1993 Wisconsin Act 288, enacted on April 13, 1994, which provides the necessary authority to enforce the test frequency requirements of the program.

E. Vehicle Coverage

The original submittal did not fully satisfy 40 CFR 51.356 for several reasons: (1) The State had not submitted its final, signed contract containing detailed procedures for identifying subject vehicles; (2) the submittal did not contain estimates of registered and unregistered vehicles in the area; (3) the State had not yet finished final modifications on its TRANS 131 rule to establish requirements for the testing of fleets; and (4) the State had not yet submitted final performance standard modeling to account for vehicles that are exempt from program requirements. The State's supplemental submittal contains final performance standard modeling runs that demonstrate the impact of exemptions on the program. Estimates of registered and unregistered vehicles will be contained in the final, signed I/M contract. In its supplemental submittal, the State included a commitment to adopt and submit the final I/M contract and final rule revisions to TRANS 131 within 1 year of the EPA's conditional approval.

F. Test Procedures and Standards

The original submittal did not fully satisfy 40 CFR 51.357, because the State had not submitted its final, signed contract containing detailed test procedures for the I/M program. In addition, the State is in the process of amending its NR 485 rule to establish specific program cutpoints. In its supplemental submittal, the State included a commitment to adopt and submit the final I/M contract and final rule revisions to NR 485 within 1 year of the EPA's conditional approval.

G. Test Equipment

The original submittal did not fully satisfy 40 CFR 51.358, because the State had not submitted its final, signed contract detailing specifications for program test equipment. In its supplemental submittal, the State commits to submit its final, signed contract addressing these requirements to the EPA within 1 year of the EPA's final conditional approval. General provisions for test equipment specifications are contained in the State's Request for Proposal (RFP).

H. Quality Control

The original submittal did not fully satisfy 40 CFR 51.359, because the State had not submitted its final, signed contract detailing its quality control procedures. In its supplemental submittal, the State commits to submit its final, signed contract addressing these requirements to the EPA within 1 year of the EPA's final conditional approval.

I. Waivers and Compliance via Diagnostic Inspection

The original submittal did not fully satisfy 40 CFR 51.360, because the State had not submitted its final, signed contract detailing procedures for the granting of waivers, including cost limits, tampering, warranty related repairs, quality control and administration. The State also failed to include a description of corrective actions to be taken if the waiver rate exceeds 3 percent. In addition, the State had not completed changes to its TRANS 131 rule to reflect changes that had been made in the Wisconsin Statutes regarding the issuance of waivers.

In its supplemental submittal, the State commits to submit its final, signed contract and its amended TRANS 131 rule addressing these requirements to the EPA within 1 year of the EPA's final conditional approval. The State has included a waiver rate of 3 percent in all subject areas and has used this waiver rate in its modeling demonstration. The State has committed to this waiver rate and has committed to take specific corrective action if this rate is not achieved. The proper criteria, procedures, quality assurance and administration regarding the issuance of waivers will be ensured by the State and managing contractor and are contained in general detail in the SIP narrative and RFP and will be more fully developed in the final contract.

J. Motorist Compliance Enforcement

The original submittal did not fully satisfy 40 CFR 51.361, because it failed to include a detailed description of the penalty schedule for noncompliance and a formal commitment to a 96 percent compliance rate. In its supplemental submittal, the State commits to submit revisions to its TRANS 131 rule to establish a more thorough penalty schedule within 1 year of the EPA's final conditional approval. The State has chosen to use registration denial as its primary enforcement mechanism in both basic and enhanced I/M areas. Motorists will be denied vehicle registration unless the vehicle has complied with the I/M program requirements. Penalties for failure to register and failure to have vehicles tested are contained in the Wisconsin Statutes, sections 341 and 110, respectively. The legal authority to implement and enforce the program is included in the Wisconsin statutes and regulations contained and cited in the SIP. In addition, the State has committed to a compliance rate of 96 percent and has used this compliance rate in its modeling demonstration.

K. Motorist Compliance Enforcement Program Oversight

The original submittal did not fully satisfy 40 CFR 51.363, because the State had not submitted its final, signed contract detailing procedures for quality control of its enforcement program and the establishment of an information management system. In its supplementary submittal, the State commits to submit its final, signed contract addressing these requirements to the EPA within 1 year of the EPA's final conditional approval.

L. Enforcement Against Contractors, Stations, and Inspectors

The original submittal did not fully satisfy 40 CFR 51.364, because the State had not submitted its final, signed contract detailing specific penalty schedules for stations, contractors, and inspectors. In its supplementary submittal, the State commits to submit its final, signed contract addressing these requirements to the EPA within 1 year of the EPA's final conditional approval. The Wisconsin SIP includes the legal authority for establishing and imposing penalties. Contractual enforcement mechanisms will be established by the final, signed contract.

M. Data Collection

The original submittal did not fully satisfy 40 CFR 51.365, because it did not include a detailed description of specific data to be collected on individual tests and data related to quality control checks. In its supplemental submittal, the State commits to submit its final, signed contract addressing these requirements to the EPA within 1 year of the EPA's final conditional approval.

N. Data Analysis and Reporting

The original submittal did not fully satisfy 40 CFR 51.366, because the State had not submitted its final, signed contract detailing procedures for the analysis and reporting of data for the testing program, quality assurance program, quality control program, and the enforcement program. In addition, the State had not committed to submitting annual and biennial reports to the EPA in accordance with the I/M rule. In its supplemental submittal, the State commits to submit its final, signed contract addressing these requirements to the EPA within 1 year of the EPA's final conditional approval. The State has submitted commitments to submit annual and biennial reports to the EPA, as well as descriptions of the methodologies and procedures used to develop these reports.

O. Inspector Training and Licensing or Certification

The original submittal did not fully satisfy 40 CFR 51.367, because the State had not submitted its final, signed contract detailing its training and licensing program. In its supplemental submittal, the State has committed to submit its final, signed contract addressing these requirements to the EPA within 1 year of the EPA's final conditional approval.

P. Public Information and Consumer Protection

The original submittal did not fully satisfy 40 CFR 51.368, because the State had not submitted its final, signed contract detailing its public information and consumer protection program. In its supplemental submittal, the State has committed to submit its final, signed contract addressing these requirements to the EPA within 1 year of the EPA's final conditional approval.

Q. Improving Repair Effectiveness

The original submittal did not fully satisfy 40 CFR 51.369 because the State had not submitted its final, signed contract detailing specific procedures for the implementation of a technical assistance program and a repair facility monitoring program. In its supplemental submittal, the State commits to submit its final, signed contract addressing these requirements to the EPA within 1 year of the EPA's final conditional approval. The contract will include a description of the technical assistance, performance monitoring, and repair technician training programs to be implemented. The State's RFP contains provision for a repair technician hotline that will be available for repair technicians.

R. Compliance With Recall Notices

The State's original submittal did not fully satisfy 40 CFR 51.370 because the State had not completed revisions to its TRANS 131 rule to establish procedures for its recall compliance program. In its supplemental submittal, the State commits to submit its amended rule addressing these requirements to the EPA within 1 year of the EPA's final conditional approval. The SIP also commits to comply with additional EPA guidance when available.

S. On-road Testing

The original submittal did not fully satisfy 40 CFR 51.371, because it did not include a detailed description of the program including test limits and criteria, resource allocations, and methods of collecting, analyzing and reporting the results of the testing. These requirements will be addressed by the State's final I/M contract, as well as amendments to the State's TRANS 131 rule. In its supplemental submittal, the State commits to submit its final, signed contract and its final, amended TRANS 131 rule addressing these requirements to the EPA within 1 year of the EPA's final conditional approval. The legal authority for this program is contained in the Wisconsin legislation.

T. Concluding Statement

Wisconsin's original submittal along with the supplemental submittal of its I/M SIP revision represent an acceptable approach to the I/M requirements and meet all the criteria required for approval and conditional approval.

A more detailed analysis of the State's supplemental submittal and how it meets Federal requirements is contained in the EPA's Technical Support Document (TSD), dated September 2, 1994, which is available at the Region 5 Office, listed above.

V. Response to Comments

On July 14, 1994 (59 FR 35883), the EPA published an NPRM for the State of Wisconsin. The NPRM proposed approval on portions of the State's submittal, and conditional approval or disapproval on other portions of the State's submittal depending upon the materials submitted by the State 2 weeks prior to close of the comment period. On July 28, 1994, the State of Wisconsin submitted these materials. No adverse public comments were received on the NPRM.

Final Action

By this action, the EPA is approving portions and conditionally approving other portions of the State's submittal. The EPA has reviewed the State submittal against the statutory requirements and for consistency with the EPA regulations and finds it to be acceptable. The rationale for the EPA's action is explained in the NPRM and will not be restated here.

The EPA believes conditional approval is appropriate in this case because the State has developed final, fully adopted rules for the enhanced I/M program and needs only to amend these rules to address a number of enhanced I/M program requirements. In addition, the State has developed a final RFP for the program and needs only to sign the final contract for program operation in order to establish final practices and procedures for program operation. The State has committed to finalize and submit the relevant rule amendments and final contract no later than 1 year after the EPA's final conditional approval.

As a result of this conditional approval on the above portions of the State's SIP, the State must meet its commitments to adopt and submit the final rule amendments and final, signed contract to the EPA within one year of the conditional approval. Once the EPA has conditionally approved this committal, if the State fails to adopt or submit the required rules to the EPA, final approval will become a disapproval. The EPA will notify the State by letter to this effect. Once the SIP has been disapproved, this commitment will no longer be a part of the approved nonattainment area SIP. The EPA subsequently will publish a notice to this effect in the notice section of the **Federal Register** indicating that the commitment has been disapproved and removed from the SIP. If the State adopts and submits the final rule amendments to the EPA within the applicable time frame, the conditionally approved commitment will remain part of the SIP until the EPA takes final action approving or disapproving the new submittal. If the EPA approves the subsequent submittal, those newly approved rules will become a part of the SIP.

If the conditional approval portions are converted to a disapproval, the sanctions clock under section 179(a) will begin. This clock will begin on the effective date of the final disapproval or at the time the EPA notifies the State by letter that a conditional approval has been converted to a disapproval. If the State does not correct the deficiency and the EPA does not approve the rule on which the disapproval was based within 18 months of the disapproval, the EPA must impose one of the sanctions under section 179(b)—highway funding restrictions or the offset sanction. In

addition, the final disapproval starts the 24 month clock for the imposition of a section 110(c) Federal Implementation Plan. Finally, under section 110(m) the EPA has discretionary authority to impose sanctions at any time after a final disapproval.

Nothing in this action should be construed as permitting or establishing a precedent for any future request for a revision to any SIP. Each request for a revision to a SIP shall be considered in light of specific technical, economical, and environmental factors and in relation to relevant statutory and regulatory requirements.

As previously noted, the EPA received no adverse public comment on the proposed action. As a direct result, the Regional Administrator has reclassified this action from Table 1 to Table 3 under the processing procedures published in the **Federal Register** on January 19, 1989 (54 FR 2214), and revisions to these procedures issued on October 4, 1993, in an EPA memorandum entitled ''Changes to State Implementation Plan (SIP) Tables.'' The Office of Management and Budget has exempted this action from Executive Order 12866 review.

Under the Regulatory Flexibility Act, 5 U.S.C. 600 *et seq.*, the 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, the 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 CAA 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, I certify 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 Act, preparation of a regulatory flexibility analysis would constitute Federal inquiry into the economic reasonableness of State action. The Act forbids the EPA to base its actions concerning SIPs on such grounds (*Union Electric Co.* v. *U.S. E.P.A.*, 427 U.S. 246, 256–66).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Hydrocarbons, Nitrogen dioxide, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: September 14, 1994.

Michelle D. Jordan,

Acting Regional Administrator.

40 CFR part 52 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 YY—Wisconsin

2. Section 52.2570 is amended by adding paragraph (c)(78) to read as follows:

§ 52.2570 Identification of plan.

* * * * *

(c) * * *

(78) On November 15, 1993, the State of Wisconsin submitted a revision to the State Implementation Plan (SIP) for the implementation of a motor vehicle inspection and maintenance (I/M) program in the Milwaukee-Racine and Sheboygan ozone nonattainment areas. This revision included 1993 Wisconsin Act 288, enacted on April 13, 1994, Wisconsin Statutes Sections 110.20, 144.42, and Chapter 341, Wisconsin Administrative Code Chapter NR 485, SIP narrative, and the State's Request for Proposal (RFP) for implementation of the program.

(i) Incorporation by reference.

(A) 1993 Wisconsin Act 288, enacted on April 13, 1994.

(B) Wisconsin Statutes, Sections 110.20, 144.42, and Chapter 341, effective November 1, 1992.

* * * * *

3. Section 52.2569 is added to read as follows:

§ 52.2569 Identification of plan-conditional approval.

(a) Revisions to the plan identified in § 52.2570 were submitted on the date specified.

(1)–(3) (Reserved)

(4) On November 15, 1993, and July 28, 1994, the Wisconsin Department of Natural Resources (WDNR) submitted enhanced inspection and maintenance (I/M) rules and a Request for Proposal (RFP) as a revision to the State's ozone State Implementation Plan (SIP). The EPA conditionally approved these rules and RFP based on the State's commitment to amend its rules and sign its final I/M contract to address deficiencies noted in to the final conditional approval. These final, adopted rule amendments and final, signed contract must be submitted to the EPA within one year of the EPA's conditional approval.

(i) Incorporation by reference.

(A) Wisconsin Administrative Code, Chapter NR 485, effective July 1, 1993.

(ii) Additional materials.

(A) SIP narrative plan titled ''Wisconsin—Ozone SIP—Supplement to 1992 Inspection and Maintenance Program Submittal,'' submitted to the EPA on November 15, 1993.

(B) RFP, submitted along with the SIP narrative on November 15, 1993.

(C) Supplemental materials, submitted on July 28, 1994, in a letter to the EPA.

[FR Doc. 95–737 Filed 1–11–95; 8:45 am]

BILLING CODE 6560–50–P

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40 CFR Parts 52 and 81

[ME–5–1–6684; A–1–FRL–5127–1]

Approval and Promulgation of Air Quality Implementation Plans; Maine; Presque Isle Attainment Plan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The EPA is approving revisions to the State implementation plan (SIP) submitted by the State of Maine to satisfy certain federal requirements for the Presque Isle nonattainment area. The purpose of the federal requirements is to bring about the attainment of the national ambient air quality standard (NAAQS) for particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers (PM10). In addition, EPA is modifying the borders of the Presque Isle nonattainment area to more closely contain the actual area where PM10 concentrations approach ambient standards. EPA also is approving an update of Maine's emergency episode regulation applicable statewide. This action is being taken under the Implementation Plans Section of the Clean Air Act.

EFFECTIVE DATE: This rule will become effective on February 13, 1995.

ADDRESSES: Copies of the documents relevant to this action are available for public inspection by appointment during normal business hours at the Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region I, One Congress Street, 10th floor, Boston, MA 02203; the Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 401 M Street, S.W., (LE–131), Washington, DC 20460; and the Bureau of Air Quality Control, Department of Environmental Protection, 71 Hospital Street, Augusta, ME 04333.