(*17*) Zinc Corporation of America—Monaca—OP 04–000–044, effective December 29, 1994, except for the expiration date of the operating permit and those portions of conditions #8 and 9 pertaining to CO and PM10.

(*18*) Procter and Gamble Paper Products Company—Mehoopany—OP 66–0001, effective December 20, 1994, except the expiration date of the operating permit and PA 66–0001A, effective December 20, 1994, except the expiration date of the plan approval and condition #4, pertaining to compliance date extensions, those portions of condition #5, pertaining to CO, SO_2 or particulate matter, and condition #17, pertaining to odor.

(*19*) Metropolitan Edison—Portland Generating Station—OP 48–0006, effective December 14, 1994, except the expiration date of the operating permit and PA 48–0006A, effective December 14, 1994, except the expiration date of the plan approval and condition #11, pertaining to compliance date extensions.

(*20*) Columbia Gas Transmission Corporation—Union City—OP 25–892, effective April 11, 1995 and the portion of condition #8, pertaining to compliance date extensions.

(ii) Additional material.

(A) Remainder of January 6, 1995, April 19, 1995, May 10, 1995, May 31, 1995, August 11, 1995, October 24, 1995, and December 8, 1995 State submittals.

(B) Additional clarifying material submitted by Pennsylvania: Letter dated July 18, 1995 from Matthew M. Williams, Air Pollution Control Engineer, Pennsylvania DEP, to Steve H. Finch, Vice President, Environmental Affairs, Columbia Gas Transmission Corporation, stating that the effective date of the Columbia Gas Transmission Corporation—Union City operating permit (OP 25–892) is April 11, 1995.

* * * * *

3. Section 52.2037 is amended by adding paragraph (c) to read as follows:

§ 52.2037 Control Strategy: Carbon monoxide and ozone (hydrocarbons).

* * * * *

(c) VOC and NO_X RACT determination for six emission units at U.S. Steel—Fairless: no. 3 blast furnace, no. 1 open hearth furnace, no. 1 soaking pits, no. 2 soaking pits (units 1–8), no. 2 soaking pits (units 9–16), 80 in. hot strip mill. The NO_X RACT determination for all the soaking pits and the 80 in. hot strip mill is low excess air (LEA), which is expected to result in a 13.5% emission reduction. NO_X RACT for the other sources is determined to be good operating practices to minimize NO_X emissions. VOC RACT for all the above sources is determined to be good operating practices to minimize VOC emissions.

4. Section 52.2036 is amended by revising the section heading, by designating the existing text as paragraph (a), and by adding paragraph (b) to read as follows:

§ 52.2036 1990 Baseyear Emission Inventory.

* * * * *

(b) The U.S. Steel—Fairless Hills 1990 VOC and NO_X emissions for six emission units (no. 3 blast furnace, no.1 open hearth furnace, no. 1 soaking pits and no. 2 soaking pits (units 1–8 and units 9–16), and 80 in. hot strip mill), submitted August 11, 1995, are approved. U.S. Steel—Fairless Hills is located in Montgomery County, Pennsylvania, which is part of the Philadelphia severe ozone nonattainment area. The VOC and NO_X 1990 emissions from the no. 3 blast furnace are zero for both pollutants. The VOC and NO_X 1990 emissions from the no. 1 open hearth furnace are 6.9 TPY and 455.5 TPY, respectively. The VOC and NO_X emissions from the no. 1 soaking pits are 6.6 TPY and 91.8 TPY, respectively. The VOC and NO_X emissions from the no. 2 soaking pits (units 1–8) are 1.10 TPY and 21.0 TPY, respectively. The VOC and NO_X emissions from the no. 2 soaking pits (units 9–16) are 1.10 TPY and 21.0 TPY, respectively. The VOC and NO_X emissions from the 80 in. hot strip mill are 1.9 TPY and 688.6 TPY, respectively.

[FR Doc. 96–8430 Filed 4–8–96; 8:45 am]

BILLING CODE 6560–50–P

---

40 CFR Part 52

[OK–12–1–7079a; FRL–5438–4]

Approval of Volatile Organic Compound Regulations for Oklahoma

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: The EPA is approving the State Implementation Plan (SIP) revision submitted by the State of Oklahoma for the purpose of removing equivalent test method and alternative standard language from the Oklahoma volatile organic compound regulations. The SIP revision was submitted by the State in follow-up to an agreement between Oklahoma and EPA in conjunction with the Tulsa ozone redesignation request published in the Federal Register on January 31, 1991. The rationale for the approval is set forth in this document; additional information is available at the address indicated in the **ADDRESSES** section.

DATES: This final rule is effective on June 10, 1996 unless adverse or critical comments are received by May 9, 1996. If the effective date is delayed, timely notice will be published in the Federal Register.

ADDRESSES: Written comments on this action should be addressed to Mr. Thomas Diggs, Chief (6PD–L), Air Planning Section, at the EPA Regional Office listed below. Copies of the documents relevant to this action are available for public inspection during normal business hours at the following locations. Interested persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before the visiting day.

U.S. Environmental Protection Agency, Region 6, Multimedia Planning & Permitting Division (6PD–L), 1445 Ross Avenue, Suite 700, Dallas, Texas 75202–2733.

Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, DC 20460.

Oklahoma Department of Environmental Quality, Air Quality Program, 4545 North Lincoln Blvd., Suite 250, Oklahoma City, Oklahoma 73105–3483.

FOR FURTHER INFORMATION CONTACT: Mr. James F. Davis, Air Planning Section (6PD–L), Multimedia Planning & Permitting Division, U.S. Environmental Protection Agency, Region 6, 1445 Ross Avenue, Dallas, Texas 75202–2733, Telephone (214) 665–7584.

SUPPLEMENTARY INFORMATION:

I. Background

On May 16, 1994, the State of Oklahoma submitted to the EPA rules for Oklahoma SIP revisions removing equivalent test method and alternative standard language from the Oklahoma volatile organic compound regulations. In addition to the State regulations, Oklahoma submitted a summary and justification documenting the basis for this SIP revision.

This particular revision is based on the September 28, 1990, Memorandum of Understanding (MOU) between the State of Oklahoma and the EPA. This MOU agreement was reached as a condition for the redesignation of the Tulsa ozone nonattainment area to attainment. Essentially, the MOU required the State to remove the State's

equivalency language in Oklahoma Air Pollution Control Regulation (OAPCR) 3.7, Sections OAPCR 3.7.5–4(g)(7)(A)(i)(b), OAPCR 3.7.5–4(g)(9)(A), OAPCR 3.7.5–4(i)(3)(B)(1), and OAPCR 3.7.5–4(i)(3)(B)(3), and to submit any alternative process or test method to the EPA as a revision to the Federally approved SIP.

II. Analysis

The State's submittal shows that the State has removed its equivalency language in OAPCR 3.7, Sections OAPCR 3.7.5–4(g)(7)(A)(i)(b), OAPCR 3.7.5–4(g)(9)(A), OAPCR 3.7.5–4(i)(3)(B)(1), and OAPCR 3.7.5–4(i)(3)(B)(3). In Section OAPCR 3.7.5–4(g)(7)(A)(i)(b) under ''Alternative Standards,'' the word ''process'' was revised to ''equipment.'' In OAPCR 3.7.5–4(g)(9)(A), the phrase ''or other equivalent methods'' was deleted from the section on specified test methods for coatings of parts and products. In OAPCR 3.7.5–4(i)(3)(B)(1), and OAPCR 3.7.5–4(i)(3)(B)(3), ''or an equivalent method as determined by the Commissioner'' was deleted under testing requirements of vapor recovery systems.

III. Final Action

In this action, the EPA is approving the SIP revision submitted by the State of Oklahoma to remove equivalent test method and alternative standard language from the State's SIP.

The EPA is publishing this action without prior proposal because the Agency views this as a noncontroversial revision and anticipates no adverse comments. However, in a separate document in this Federal Register publication, the EPA is proposing to approve the SIP revision should adverse or critical comments be filed. Thus, today's direct final action will be effective June 10, 1996 unless, by May 9, 1996, adverse or critical comments are received.

If the EPA receives such comments, this action will be withdrawn before the effective date by publishing a subsequent document 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. The 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 June 10, 1996.

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

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 that are less than 50,000.

SIP revision approvals under section 110 and subchapter I, part D, of the 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 EPA certifies that this proposed rule would 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 actions. The Act forbids the EPA to base its actions concerning SIP's on such grounds. *Union Electric Co.* v. *U.S.E.P.A.*, 427 U.S. 246, 256–266 (S. Ct. 1976); 42 U.S.C. section 7410(a)(2).

Under section 202 of the Unfunded Mandates Reform Act of 1995 (Unfunded Mandates Act), signed into law on March 22, 1995, the 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, the 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 the 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 today 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 preexisting 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.

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 has exempted this regulatory action from Executive Order 12866 review.

Under section 307(b)(1) of the CAA, 42 U.S.C. 7607(b), petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by June 10, 1996. 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))

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Incorporation by reference, Volatile organic compounds.

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

Dated: February 8, 1996.

Jane N. Saginaw,

Regional Administrator (6A).

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

PART 52—[AMENDED]

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

Authority: 42 U.S.C. 7401–7671q.

Subpart LL—Oklahoma

2. Section 52.1920 is amended by adding paragraph (c)(47) to read as follows:

§ 52.1920 Identification of plan.

* * * * *

(c) * * *

(47) A revision to the Oklahoma SIP to include revisions to Oklahoma Air Pollution Control Regulation 3.7—Control of Emissions of Organic Materials, adopted by the State on

October 2, 1990, effective May 11, 1991 and submitted by the Governor on May 16, 1994.

(i) Incorporation by reference.

(A) Revisions to Oklahoma Air Pollution Control Regulations 3.7, Sections 3.7.5–4(g)(7)(A)(i)(b), 3.7.5–4(g)(9)(A), 3.7.5–4(i)(3)(B)(1), and 3.7.5–4(i)(3)(B)(3) effective May 11, 1991.

(ii) Additional material.

(A) State SIP revision entitled, ''Oklahoma Alternative Standards SIP Revision,'' which includes a completeness determination, SIP narrative, hearing records and other documentation relevant to the development of this SIP.

[FR Doc. 96–8440 Filed 4–8–96; 8:45 am]

BILLING CODE 6560–50–P

40 CFR Part 52

[IL133–1–7125a; FRL–5434–9]

Approval and Promulgation of Air Quality Implementation Plans; Illinois: Motor Vehicle Inspection and Maintenance

AGENCY: United States Environmental Protection Agency (USEPA).

ACTION: Direct final rule.

SUMMARY: The USEPA is giving full approval through a direct final action to a state implementation plan (SIP) revision submitted on June 26, 1995, by the Illinois Environmental Protection Agency (IEPA). This revision is a formal submittal of the 1992 motor vehicle emission inspection and maintenance (I/M) program enhancements developed and implemented, in part, as a response to the 1989 Federal Implementation Plan (FIP) agreement between Illinois and Wisconsin, and USEPA. The volatile organic compound (VOC) emission reduction from these improvements are creditable reduction toward achieving the 15 percent Reasonable Further Progress requirements toward attainment of the public health based ozone air quality standard. Illinois estimates that these program improvements achieve 8.4 tons per day (TPD) VOC reduction in the Chicago area and 0.2 TPD reduction in the East St. Louis area.

The Chicago and East St. Louis ozone nonattainment areas are required to attain the National Ambient Air Quality Standards (NAAQS) as specified under the Clean Air Act (Act) by 2007 and 1996 respectively. The implementation of these program enhancements in the areas stated above, have contributed to the further reduction of vehicle emissions which contribute to the formation of urban smog in Illinois. In the proposed rules section of this Federal Register, USEPA is proposing approval of this I/M program and SIP revision and solicits public comments on the action. If adverse comments are received on this direct final rule, USEPA will withdraw this final rule and address these comments in a subsequent final rule based on the proposed rule.

DATES: This final rule will be effective on June 10, 1996 unless adverse or critical comments are received by May 9, 1996. If the effective date is delayed, timely notice will be published in the Federal Register.

ADDRESSES: Copies of Illinois' I/M SIP submittal, and other documents pertinent to this direct final rule are available at the following address: U.S. Environmental Protection Agency, Region 5, Air and Radiation Division, Air Programs Branch, 77 West Jackson Boulevard, Chicago, Illinois 60604.

Comments on this rule should be addressed to: J. Elmer Bortzer, Chief, Regulation Development Section, Air Programs Branch (5AR–18J), United States Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: Francisco J. Acevedo, Environmental Engineer, Regulation Development Section, Air Programs Branch (5AR–18J), United States Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886–6061. Anyone wishing to come to Region 5 offices should first contact Francisco J. Acevedo.

SUPPLEMENTARY INFORMATION:

I. Introduction

Pursuant to the requirements of the 1977 Clean Air Act, the Illinois General Assembly adopted legislation and signed into law in September 1984 the legal authority and funding mechanism for an I/M program in the State of Illinois. The State of Illinois contracted with Systems Control, Inc., to develop and operate a centralized network of testing facilities in both the Chicago and East St. Louis ozone nonattainment areas. The Illinois vehicle I/M program officially began testing vehicles on May 1, 1986.

In 1989, Illinois, Wisconsin, and USEPA entered into a settlement agreement concerning various matters relating to compliance with certain provisions of the Clean Air Act (*Wisconsin* v. *Reilly*, Case No. 87–C–0395, E.D. Wis.). Among other things, the agreement required that Illinois develop and implement enhancements to its I/M program which would make it equivalent in performance to the enhanced I/M-anti-tampering program described in USEPA's November 24, 1987 proposal on its post-1987 Ozone and Carbon Monoxide Plan Revisions for Areas Not Attaining the National Ambient Air Quality Standards, (52 FR 45044, November 24, 1987). On October 30, 1989, Illinois submitted to USEPA a preliminary design and implementation schedule of program enhancements which would enable Illinois to meet the applicable standard. On October 4, 1990, USEPA gave final approval to Illinois' I/M program as part of the State's 1982 ozone/CO SIP (55 FR 40658); however, USEPA noted at 55 FR 40660 that Illinois was continuing to work on necessary enhancements to the I/M program and that USEPA would take action on these enhancements at a future date.

On June 29, 1990, the General Assembly of the State of Illinois adopted Public Act 86–1433, which consists of amendments to the Illinois Vehicle Code, and the Illinois Motor Fuel Tax Law. These amendments became law on September 12, 1990 when it was signed without change by the Governor of the State. The legislation amended five sections of the Illinois Vehicle Code (625 ILCS 5/13A–102, 13A–103, 14A–104, 15A–105, and 12A–106).

Based on the authority of the Illinois legislation, IEPA prepared implementing procedural rules and published them for First Notice at Volume 15, Issue #38, p. 13607 of the Illinois Register (September 20, 1991). The proposed rules subsequently became effective on June 15, 1992, and were published in the Illinois Register on June 26, 1992 at Volume 16, Issue #26. These rules amended previous regulations on fleet testing requirements, inspection procedures, sticker issuance requirements, and requirements for low emission tuneups, and added a new section for tamper check procedures.

II. Background

On June 26, 1995, IEPA submitted to USEPA a SIP revision containing I/M enhancements implemented in the Illinois program between January 1, 1991 through December 31, 1992. The Illinois submittal seeks USEPA approval of the 1992 program enhancements. The State is taking emission reduction credits acquired from these enhancements for purposes of meeting requirements related to the 15% Reasonable Further Progress Plan for the Chicago and East St. Louis ozone nonattainment areas. In addition, IEPA believes that all material submitted in