ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval of a new animal drug application (NADA) filed by Hoechst-Roussel Agri-Vet Co. The NADA provides for using approved single ingredient Type A medicated articles to make Type C medicated turkey feeds containing halofuginone hydrobromide and bacitracin methylene disalicylate.

EFFECTIVE DATE: May 9, 1996

FOR FURTHER INFORMATION CONTACT: James F. McCormack, Center for Veterinary Medicine (HFV–128), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301–594–1607.

SUPPLEMENTARY INFORMATION: Hoechst-Roussel Agri-Vet Co., Route 202–206, P.O. Box 2500, Somerville, NJ 08876–1258, has filed NADA 140–919, which provides for use of approved Stenorol® (2.72 grams of halofuginone hydrobromide per pound of Type A article) and approved BMD® (30, 50, or 60 grams of bacitracin methylene disalicylate per pound) to make Type C medicated turkey feeds containing 1.36 to 2.72 grams per ton (g/t) halofuginone hydrobromide and 10 to 50 g/t bacitracin methylene disalicylate, for prevention of coccidiosis in growing turkeys caused by *Eimeria adenoeides, E. meleagrimitis*, and *E. gallopavonis*, and for increased rate of weight gain.

The NADA 140–919 is approved as of May 9, 1996, and the regulations are amended in § 558.265(c)(2)(ii) (21 CFR 558.265(c)(2)(ii)) to reflect the approval. The basis of approval is discussed in the freedom of information summary.

In accordance with the freedom of information provisions of part 20 (21 CFR part 20) and § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)), a summary of safety and effectiveness data and information submitted to support approval of this application may be seen in the Dockets Management Branch (HFA–305), Food and Drug Administration, 12420 Parklawn Dr., rm. 1–23, Rockville, MD 20857, between 9 a.m. and 4 p.m., Monday through Friday.

This approval is for use of single ingredient Type A medicated articles to make Type C medicated feeds. Halofuginone hydrobromide is a Category II drug which, as provided in § 558.4, requires an approved form FDA 1900 for making a Type C medicated feed. Therefore, use of halofuginone hydrobromide and bacitracin methylene disalicylate Type A medicated articles to make a combination drug Type C medicated feed as provided in NADA 140–919 requires an approved form FDA 1900.

The agency has determined under 21 CFR 25.24(d)(1)(ii) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

Under section 512(c)(2)(F)(ii) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b(c)(2)(F)(ii)), this approval for use in food-producing animals qualifies for 3 years of marketing exclusivity beginning May 9, 1996, because the application contains reports of new clinical or field investigations (other than bioequivalence or residue studies) essential to the approval and conducted or sponsored by the applicant.

List of Subjects in 21 CFR Part 558

Animal drugs, Animal feeds.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Veterinary Medicine, 21 CFR part 558 is amended as follows:

PART 558—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

1. The authority citation for 21 CFR part 558 continues to read as follows:

Authority: Secs. 512, 701 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b, 371).

2. Section 558.265 is amended by adding new paragraph (c)(2)(ii) to read as follows:

§ 558.265 Halofuginone hydrobromide.

* * * * *

(c) * * *

(2) * * *

(ii) *Amount per ton*. Halofuginone hydrobromide 1.36 to 2.72 grams plus bacitracin methylene disalicylate 10 to 50 grams.

(A) *Indications for use*. For prevention of coccidiosis caused by *Eimeria adenoeides, E. meleagrimitis*, and *E. gallopavonis*, and for increased rate of weight gain in growing turkeys.

(B) *Limitations*. Feed continuously as sole ration. Withdraw 7 days before slaughter. Do not feed to laying chickens or water fowl. Keep out of lakes, ponds, and streams. Halofuginone is toxic to fish and aquatic life. Halofuginone is an irritant to eyes and skin. Avoid contact with skin, eyes, or clothing.

Dated: April 26, 1996.

Stephen F. Sundlof,

Director, Center for Veterinary Medicine.

[FR Doc. 96–11514 Filed 5–8–96; 8:45 am]

BILLING CODE 4160–01–F

DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

27 CFR Part 24

[T.D. ATF–371; RE: Notice Nos. 800 and 805]

RIN: 1512–AB26

Materials and Processes Authorized for the Production of Wine and for the Treatment of Juice, Wine and Distilling Material (93F–059P)

AGENCY: Bureau of Alcohol, Tobacco and Firearms (ATF), Department of the Treasury.

ACTION: Final rule (Treasury decision).

SUMMARY: This final rule amends the wine regulations in 27 CFR Part 24 to add or modify the use of 3 wine treating processes and to add the use of 1 new wine treating material. The use of these new or modified wine treating processes and materials has been found to be acceptable in ''good commercial practice'' in the production, cellar treatment, and finishing of wine, pursuant to the provisions of Section 5382 of the Internal Revenue Code of 1986, since their use will not alter vinous character or pose any health, safety, or consumer deception problems.

EFFECTIVE DATE: July 8, 1996.

FOR FURTHER INFORMATION CONTACT: Robert White, Coordinator, Wine, Beer and Spirits Regulations Branch, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226 (202–927–8230).

SUPPLEMENTARY INFORMATION:

Background

Several members of the wine industry petitioned ATF for approval of the use of 3 wine treating processes and 1 wine treating material in the production, cellar treatment, and/or finishing of wine. Only one of the processes, the spinning cone column, is new and would be used to reduce the ethyl alcohol content of wine or to remove off flavors in wine. The other two processes are not new but either would be used in combination or would be used for a different purpose or at a different limitation than previously authorized. The processes to be used in combination are reverse osmosis and ion exchange

and would be used to remove excess volatile acidity from wine. The process which would be used at a different limitation is ultrafiltration. And finally, the new wine treating material, urease enzyme, would be used to reduce urea in wine, thereby reducing the possibility of ethyl carbamate formation during wine storage.

Notice No. 800

On September 30, 1994, ATF published a notice of proposed rulemaking (Notice No. 800) in the Federal Register requesting that all interested parties submit written comments by November 29, 1994. Nine comments were received including 2 comments which requested an extension of the comment deadline. Due to the requests for an extension of the comment period, ATF published a reopening notice (Notice No. 805) in the Federal Register on January 18, 1995, which reopened the comment period for 60 days ending on March 20, 1995. Three comments were received in response to the reopening notice making a total of 12 comments received in response to the 2 wine treating notices.

Summary of Comments

Six of the commenters stated that they fully support the use of the spinning cone column to reduce the ethyl alcohol content of wine or to remove off flavors from wine. One of the six commenters, Mr. Vincent Indelicato of Delicato Vineyards, also asked that the spirits derived from the spinning cone column process, if at a minimum proof of 100 or above, be approved for wine spirits additions without any restrictions. Mr. Indelicato also asked that spinning cone column de-essenced juice be allowed in all standard winemaking including the fermenting of this de-essenced juice into standard wine. Five of the six commenters who addressed the use of the spinning cone column also stated that they support the additional requests made by Mr. Indelicato.

One of the six commenters mentioned above, Mr. Robert G. Kalik of the American Vintners Association (AVA), also stated that the AVA fully supports the 3 new or modified wine treating processes and the 1 new wine treating material proposed in Notice No. 800.

Another commenter, Mr. Clark Smith and Mr. Rick Jones of Vinovation, Inc., submitted a joint comment stating that Vinovation fully supports the use of reverse osmosis and ion exchange in combination in a closed system to remove excess volatile acidity from wine. They also state in a separate comment that it is their understanding that use of the spinning cone column to remove volatile acidity from wine is not very practical since such removal of volatile acidity would result in an equal proportion of ethanol being removed from the wine.

Two additional commenters in the wine industry state that they fully support the use of reverse osmosis along with ion exchange to remove excess volatile acidity in wine. Both state that wine which has undergone this treatment to remove excess volatile acidity has been greatly improved in quality. Both commenters believe that adoption of this wine treating process will represent a real benefit to the wine industry as well as to the consumer.

Two commenters to Notice No. 800 asked for an extension of the comment period to give them more time to analyze the wine treating proposals and to prepare a response. One of these commenters represents the Delegation of the European Commission (EC) and the other represents the French government.

The final comment was from the Delegation of the European Commission in response to Notice No. 805 which reopened the comment period for 60 days. This commenter states that the comment represents the views of the European Community. The commenter states that the European Community is concerned at the possibility of introduction into regular winemaking of the wine treating processes and materials mentioned in the notice of proposed rulemaking and considers that their utilization could be problematic for such wines imported into the European Union. The commenter also states that approval of such processes and materials could complicate the ongoing negotiations for an EC/US wine agreement.

The commenter states that the European Community would like to draw attention to the fact that the processes and materials described in the notice are not currently authorized by Council Regulation (EEC) No. 822/87, particularly Title II, which lays down European Community rules governing oenological practices and processes, and Annex VI, which lists the practices and processes authorized for wines marketed in the European Union; nor are these processes and materials included in the Annex to Council Regulation (EEC) No. 1873/84, which details the oenological practices authorized for wine imported into the European Union from the United States.

Moreover, the commenter states that the new materials and processes described in the notice are not included in the International Code of Oenological Practices of the International Vine and Wine Office (OIV) which is approved by the governments of the member countries of the OIV. The commenter states that except for the use of urease, these practices have not yet even been the subject of preliminary discussions nor have they been communicated to this international forum.

In conclusion, this commenter states that the European Community would suggest that utilization of the materials and processes proposed in Notice No. 800 would best be considered within the bilateral framework of the ongoing negotiations for an EC/US wine agreement and within the multilateral framework of the OIV. Consequently, this commenter states that the European Commission urges that the U.S. authorities take no action on approving these materials and processes until such consultations with the EC and OIV have taken place.

ATF Decision

After careful consideration of the comments, ATF has decided to approve the 3 wine treating processes and 1 wine treating material proposed in Notice No. 800. These 3 wine treating processes and 1 wine treating material have the support of the U.S. wine industry and have been determined to be in accordance with good commercial practice. Use of these 3 processes and 1 material will be a significant benefit to consumers and to the wine industry by enabling industry members to exercise additional quality control in the production of their wines.

ATF acknowledges that the European Community has not currently approved the use of these 3 wine treating processes and 1 wine treating material in their wines. However, we have decided to go ahead and approve these processes and materials for use by U.S. wine producers because, after careful review, we have concluded that their use complies with the statutory standard of good commercial practice.

ATF does not believe that it should prevent the use of new wine treating processes and materials that have been found to be beneficial to industry members and consumers alike, since it has determined that the wine treatments do not alter vinous character or pose any health, safety, or consumer deception problems. In addition, we feel that the ongoing wine negotiations with the European Community do not foreclose or restrict our domestic rulemaking decisions implementing statutory standards under U.S. laws.

In regard to the requests to use spirits derived from the spinning cone column process for wine spirits additions and the use of de-essenced juice derived from the spinning cone column process

in all standard winemaking, we have determined that we need more time to thoroughly analyze these requests and will address these issues at a later time.

Wine Treating Processes

Spinning Cone Column

The spinning cone column (SCC) is a gas-liquid contacting device which can process a wide range of products including slurries with very high solids contents. It is a multi-stage mass transfer device consisting of a series of alternating stationary and rotary truncated cones. During its operation the product is fed at the top of the column and then flows down the upper surface of the stationary cones under the influence of gravity and moves across the upper surface of the rotating cones in a thin film due to the applied centrifugal force. The stripping gas enters the bottom of the column and flows counter current to the liquid phase in the spaces between the fixed and rotating cones.

The SCC is used in the production of low alcohol wine, as well as to remove off flavors in wine (e.g. volatile acidity, ethyl acetate, hydrogen sulfide, etc.). In the production of low alcohol wine, the feed wine is initially run through the SCC to recover the volatile wine flavor essence. In the second stage of processing, the flavor essence reduced wine is run through the SCC to reduce the alcohol in the wine to the desired level. The essence, which has previously been removed, is then added back to the alcohol reduced wine to produce a low alcohol wine which retains its original flavor. The alcohol which has been removed from the wine can then either be used in accordance with law and regulations or be destroyed.

Treatment of wine utilizing the SCC to remove off flavors, or to reduce the alcohol content of the wine, may not alter the vinous character of the wine. Otherwise, the wine will no longer be considered standard wine.

Since the separation of alcohol from a fermented substance is considered to be a distilling process, the SCC operations cannot be conducted at winery premises but must instead take place at distilled spirits plant premises.

The SCC operations must be conducted in accordance with the following conditions:

1. The SCC removal of any alcohol from the wine will be done on DSP premises.

2. Records will be maintained for each lot of wine put through the SCC and the fractions derived from such wine showing the date, quantity, and disposition of each fraction.

3. In the production of reduced alcohol standard wines using the SCC, the same amount of essence will be added back to any lot of wine as was originally removed.

4. The destruction of any alcohol or other fractions derived from the SCC process must be in accordance with the provisions of 27 CFR 19.691.

Reverse Osmosis and Ion Exchange

In this process, reverse osmosis and ion exchange are used in combination to remove volatile acidity (VA) from bulk wine. The process combines two technologies already widely in use in the wine industry.

The process involves utilizing reverse osmosis to separate wine into various components and then using ion exchange to remove VA. The wine components, minus the VA, are then recombined in-line to form the original wine minus the VA. The whole process takes place in a closed system.

Regulations at 27 CFR 24.248 were previously broad enough to allow ion exchange to be used to remove volatile acidity from wine or from various components of wine. However, those regulations did not authorize reverse osmosis to be used for anything other than to reduce the ethyl alcohol content of wine. This regulation change will allow reverse osmosis to also be used to remove off flavors in wine which will enable it to be used as part of an overall process in a closed system to remove VA from wine.

Normally, reverse osmosis must be done on distilled spirits plant premises because it is considered a distilling process resulting in a distilled spirits by-product. However, in this case, the various components of wine will only be created temporarily in a closed system and will be immediately recombined in-line to reconstitute the original wine minus VA. Consequently, ATF has concluded that this type of reverse osmosis may be conducted on bonded winery premises since no separate distilled spirits product is created as a final product or by-product.

Accumulation of ethyl alcohol outside the closed system is not allowed. Any accumulation of an ethanol solution on winery premises may subject the proprietor to the distilled spirits tax of $13.50 per proof gallon imposed by Section 5001 of the Internal Revenue Code.

The footnote concerning processes which must be done on distilled spirits plant premises, located at the end of 27 CFR 24.248, has been revised to state that under certain limited conditions, reverse osmosis may be used on bonded winery premises if ethyl alcohol is only temporarily created within a closed system.

Ultrafiltration

Previous regulations at 27 CFR 24.248 allowed ultrafiltration to be used for various filtration purposes as long as the following conditions were met:

(a) Permeable membranes are used which are selective for molecules greater than 500 and less than 25,000 molecular weight with transmembrane pressures which do not exceed 100 pounds per square inch (psi).

(b) Use shall not alter vinous character.

This final rule amends the regulations to allow greater transmembrane pressures to be used and still be considered ultrafiltration. The revised regulations allow less than 200 psi in lieu of the current 100 psi. This more liberal pressure limitation will provide for greater throughput with no change in the vinous character of the finished wine. Without this increase in throughput, the process is not economically viable for many industry members since they can achieve the same result with other methods at a much lower cost.

The less than 200 psi pressure limitation was chosen as the upper limit in order to maintain a clear distinction between ultrafiltration and reverse osmosis in terms of pressure. The two processes are also differentiated by the fact that the membranes specified for reverse osmosis have a much smaller pore size than those used in ultrafiltration.

New Wine Treating Material

Urease Enzyme

The use of urease enzyme derived from *Lactobacillus fermentum* has been found to reduce levels of naturally occurring urea in wine thereby helping to prevent the formation of ethyl carbamate during storage.

The enzyme is derived from the nonpathogenic, nontoxicogenic bacterium *Lactobacillus fermentum*. It contains the enzyme urease (CAS Reg. No. 9002–13–5) which facilitates the hydrolysis of urea to ammonia and carbon dioxide. It is produced by a pure culture fermentation process and by using materials that are generally recognized as safe (GRAS) or are food additives that have been approved for this use by the Food and Drug Administration (FDA).

Urease enzyme from *Lactobacillus fermentum* was approved for use in wine by FDA on December 21, 1992,

effective January 21, 1993. The FDA regulation cite is 21 CFR 184.1924, Urease Enzyme Derived From *Lactobacillus Fermentum*.

The enzyme is standardized with glucose syrup solids and the urease activity is adjusted to 3.5 units/mg. Urease enzyme meets the general and additional requirements for enzyme preparations in the ''Food Chemicals Codex,'' 3rd edition (1981). In addition, the urease enzyme is used in food at levels not to exceed current good manufacturing practice as defined in 21 CFR 184.1924.

The composition of the urease enzyme preparation is as follows:

Killed whole cells of *Lactobacillus fermentum*	20–35%
Glucose Syrup Solids	65–80%

Due to the low usage level (10–200 ppm) and objective of usage, addition of glucose syrup solids in this case is not considered ''sweetening'' of the beverage, which is prohibited in the State of California for table wine.

The use of urease enzyme derived from *Lactobacillus fermentum* is economically self-limiting due to the high cost of the material. FDA, in their approval, did not set a specific numerical limit but rather limited its use to ''good commercial practice.''

Due to the recommendations from industry and from the ATF laboratory, we have established an upper limit for the use of urease enzyme in wine of 200 mg/L, provided that the enzyme is filtered prior to final packaging of the wine, as a ''good commercial practice.''

Regulatory Flexibility Act

It is hereby certified that this regulation will not have a significant economic impact on a substantial number of small entities. This regulation is liberalizing in nature and will allow winemakers more flexibility when producing their wines with no negative impact on small entities. Accordingly, a regulatory flexibility analysis is not required because this final rule is not expected: (1) To have secondary, or incidental effects on a substantial number of small entities; or (2) to impose, or otherwise cause a significant increase in the reporting, recordkeeping, or other compliance burdens on a substantial number of small entities.

Executive Order 12866

It has been determined that this regulation is not a significant regulatory action as defined by Executive Order 12866. Accordingly this final rule is not subject to the analysis required by this Executive Order.

Paperwork Reduction Act

The provisions of the Paperwork Reduction Act of 1980, Public Law 96–511, 44 U.S.C. Chapter 35, and its implementing regulations, 5 CFR Part 1320, do not apply to this final rule because no requirement to collect information is imposed.

Drafting Information: The principal author of this document is Robert L. White, Wine, Beer and Spirits Regulations Branch, Bureau of Alcohol, Tobacco and Firearms. ATF Wine Technical Advisor Richard M. Gahagan has provided significant technical assistance in the evaluation and review of data pertinent to the preparation of this document.

List of Subjects in 27 CFR Part 24

Administrative practice and procedure, Authority delegations, Claims, Electronic funds transfers, Excise taxes, Exports, Food additives, Fruit juices, Labeling, Liquors, Packaging and containers, Reporting requirements, Research, Scientific equipment, Spices and flavorings, Surety bonds, Transportation, Warehouses, Wine and vinegar.

Authority and Issuance

27 CFR Part 24—Wine is amended as follows:

PART 24—WINE

Par. 1. The authority citation for Part 24 continues to read as follows:

Authority: 26 U.S.C. 5001, 5008, 5041, 5042, 5044, 5061, 5062, 5081, 5111–5113, 5121, 5122, 5142, 5143, 5173, 5206, 5214, 5215, 5351, 5353, 5354, 5356–5357, 5361, 5362, 5364–5373, 5381–5388, 5391, 5392, 5551, 5552, 5661, 5662, 5684, 6065, 6091, 6109, 6301, 6302, 6311, 6651, 6676, 7011, 7302, 7342, 7502, 7503, 7606, 7805, 7851; 31 U.S.C. 9301, 9303, 9304, 9306.

Par. 2. Section 24.246 is amended in the table in Paragraph (b) revising the entry for enzymatic activity, and by adding the new entry, ''Urease'', immediately after and directly under Protease (Trypsin), to read as follows:

§ 24.246 Materials authorized for treatment of wine and juice.

* * * * *

(b) * * *

Materials and use	Reference or limitation
* * * *	* * *
Enzymatic activity: Various uses as shown below	The enzyme preparation used shall be prepared from nontoxic and nonpathogenic microorganisms in accordance with good manufacturing practice and be approved for use in food by either FDA regulation or by FDA advisory opinion.
* * * *	* * *
Urease: To reduce levels of naturally occurring urea in wine to help prevent the formation of ethyl carbamate.	The urease enzyme activity shall be derived from *Lactobacillus fermentum* per 21 CFR 184.1924. Use is limited to not more than 200 mg/L and must be filtered prior to final packaging of the wine.
* * * *	* * *

PAR. 3. Section 24.248 is amended in the table by revising the entries for ''Reverse osmosis'' and ''Ultrafiltration'', by adding the entry for ''Spinning cone column'', and by revising the footnote at the end of the section to read as follows:

§ 24.248 Processes authorized for the treatment of wine, juice, and distilling material.

* * * * *

Processes	Use	Reference or limitation
*	* *	* * * *
Reverse osmosis [1]	To reduce the ethyl alcohol content of wine and to remove off flavors in wine,.	Permeable membranes which are selective for molecules not greater than 500 molecular weight with transmembrane pressures of 200 psi and greater. The addition of water other than that originally present prior to processing will render standard wine ''other than standard.'' Use shall not alter vinous character.
Spinning cone column [1]	To reduce the ethyl alcohol content of wine and to remove off flavors in wine,.	Use shall not alter vinous character. For standard wine, the same amount of essense must be added back to any lot of wine as was originally removed.
*	* *	* * * *
Ultrafiltration	To remove proteinaceous material from wine; to reduce harsh tannic material from white wine produced from white skinned grapes; to remove pink color from blanc de noir wine; to separate red wine into low color and high color wine fractions for blending purposes.	Permeable membranes which are selective for molecules greater than 500 and less than 25,000 molecular weight with transmembrane pressures less than 200 psi. Use shall not alter vinous character. 21 CFR 175.300, 177.1520, 177.1550, 177.1630, 177.2440, 177.2600, and 177.2910.

[1] This process must be done on distilled spirits plant premises. However, reverse osmosis, under certain limited conditions, may be used on bonded winery premises if ethyl alcohol is only temporarily created within a closed system.

(Sec. 201, Pub. L. 85–859, 72 Stat. 1383, as amended (26 U.S.C. 5381, 5382, 5385, 5386, and 5387)).

Signed: March 11, 1996.

Bradley A. Buckles,

Acting Director.

Approved: April 1, 1996.

John P. Simpson,

Deputy Assistant Secretary (Regulatory, Tariff and Trade Enforcement).

[FR Doc. 96–11611 Filed 5–8–96; 8:45 am]

BILLING CODE 4810–31–U

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 60

[FRL–5502–4]

Standards of Performance for New Stationary Sources; Supplemental Delegation of Authority to Mississippi

AGENCY: Environmental Protection Agency (EPA).

ACTION: Delegation of authority.

SUMMARY: On March 7, 1996, the state of Mississippi, through the Department of Environmental Quality, requested that EPA delegate authority for implementation and enforcement of eight (8) ammended categories of the New Source Performance Standards (NSPS). Since EPA's review of Mississippi's pertinent laws, rules, and regulations showed them to be adequate and effective procedures for the implementation and enforcement of these Federal standards, EPA has made the delegation as requested.

EFFECTIVE DATE: The effective date of the delegation of authority is April 15, 1996.

ADDRESSES: Copies of the request for delegation of authority and EPA's letter of delegation are available for public inspection during normal business hours at the following locations:

Environmental Protection Agency, Region 4, Air Programs Branch, 345 Courtland Street, Atlanta, Georgia 30365

Mississippi Department of Environmental Quality, Bureau of Pollution Control, Air Quality Division, P.O. Box 10385, Jackson, Mississippi 39289–0385.

Effective immediately, all requests, applications, reports and other correspondence required pursuant to the newly delegated standards should not be submitted to the Region 4 office, but should instead be submitted to the following address: Office of Pollution Control, Mississippi Department of Environmental Quality, P.O. Box 10385, Jackson, Mississippi 39289–0385.

FOR FURTHER INFORMATION CONTACT: Scott M. Martin, Regulatory Planning and Development Section, Air Programs Branch, United States Environmental Protection Agency, Region 4, 345 Courtland Street N.E., Atlanta, Georgia 30365, (404) 347–3555, x4216.

SUPPLEMENTARY INFORMATION: Section 301, in conjunction with Sections 110 and 111(c)(1) of the Clean Air Act as amended November 15, 1990, authorizes EPA to delegate authority to implement and enforce the standards set out in 40 CFR Part 60, (NSPS).

On November 10, 1981, EPA initially delegated the authority for implementation and enforcement of the NSPS programs to the state of Mississippi. On March 7, 1996, Mississippi requested a delegation of authority for implementation and enforcement of the following NSPS categories found in 40 CFR Part 60.

1. Subpart A—General Provisions Except § 60.8(b) (1) Thru (5); § 60.11(e) (7) and (8); § 60.13(g) (i) and (j)(2)

2. Subpart Cb—Municipal Waste Combustors Constructed On or before December 19, 1995

3. Subpart Cd—Sulfuric Acid Production Units

4. Subpart Ea—Municipal Waste Combustors Constructed After December 20, 1989 and On or Before September 20, 1994

5. Subpart Eb—Municipal Waste Combustors For Which Construction is Commenced After September 20, 1994

6. Subpart NNN—Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations

7. Subpart RRR—Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Process

8. Appendix A—Test Methods

After a thorough review of the request, the Regional Administrator determined that such a delegation was appropriate for this source category with the conditions set forth in the original delegation letter of November 30, 1981. Mississippi sources subject to the