

emissions allowable under the exemptions from its tunnel dryers numbered #1, #2, #3, and #4, and fluid bed dryers numbered #1, #2, and #3. This amendment reduces combined cutoffs for these seven dryers while increasing Abbott's operational flexibility, by allowing it to make preferential use of the more efficient fluid bed dryers.

#### IV. What is EPA's analysis of Illinois' revised pharmaceutical manufacturing rule?

The revisions to Illinois' pharmaceutical manufacturing rule are approvable because it lowers the total allowable emissions from seven dryers and is consistent with the CAA, EPA regulations, and relevant policy.

More specifically, the individual applicability cutoffs for the seven affected dryers results in a combined allowable emission total of 45 tons of VOC per year. The 45 tons VOC per year is based on a 5 tons VOC cutoff (in prior subsection 218.480(b)(2)) for each of the three fluid bed dryers and a 7.5 tons VOC per year cutoff (in prior subsection 218.480(b)(3) for each of the four tunnel dryers. This compares with a 20.6 tons VOC per year total in new subsection 218.480(b)(4) for tunnel dryers numbered #1, #2, #3, and #4, and fluid bed dryers numbered #1, #2, and #3. Subsection 218.480(b)(4) replaces subsections 218.480(b)(2) and 218.480(b)(3) for these seven dryers.

The main basis for evaluating this proposal is EPA's January 2001 policy on Economic Incentive Programs (EIP), which is EPA's applicable policy for evaluating emission averaging plans, also referred to as "bubbles." Under the EIP policy, a combined emission limit is based on the lower of actual or allowable emissions. Actual emissions are based on the highest consecutive two-year period during the preceding ten-year period, which in this case is 1999–2000. The average annual actual emissions for the seven dryers during this two-year period was calculated to be 22.9 tons VOC per year. The EIP policy also requires reducing this annual emission average by ten percent to establish an environmental benefit. This results in a combined emission limit of 20.6 tons VOC per year, which is the value in the new subsection 218.480(b)(4).

Illinois amended its July 17, 2009, SIP submittal in a May 12, 2010, letter and attachments from Laurel L. Kroack, Chief, Bureau of Air, Illinois Environmental Protection Agency, to EPA. This letter establishes how compliance with Abbott's 20.6 tons VOC per year limit is determined as

well as Abbott's recordkeeping requirements. Specifically, this letter states:

It is the Illinois EPA's interpretation that compliance with Abbott's 20.6 tons VOC per year limit shall be determined on a monthly basis from the sum of the data for the current month plus the preceding 11 months (running 12 month total) consistent with Condition 7.1.6(i) of Abbott's current Title V permit #96010010, issued on September 26, 2007. Compliance will be demonstrated according to the compliance calculation methodology and corresponding recordkeeping procedures in Katherine Hodge's April 23, 2008 email to EPA, including both the body of the email and its attachments, as well as the compliance procedures in Condition 7.1.12(e) of Abbott's current Title V permit. Also, Abbott's recordkeeping requirements should also be consistent with the recordkeeping requirements reflected in Katherine Hodge's April 23, 2008 email, including both the body of the e-mail and its attachments. These records would need to be maintained for five years.

#### V. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a "significant regulatory action" subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);

- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);

- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and
- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the state, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: June 30, 2010.

**Walter W. Kovalick Jr.,**

*Acting Regional Administrator, Region 5.*

[FR Doc. 2010–17139 Filed 7–13–10; 8:45 am]

**BILLING CODE 6560–50–P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA–R09–OAR–2010–0514; FRL–9172–2]

### Revisions to the California State Implementation Plan, Sacramento Metropolitan Air Quality Management District and South Coast Air Quality Management District

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve revisions to the Sacramento Metropolitan Air Quality Management District (SMAQMD) and South Coast Air Quality Management District (SCAQMD) portions of the California State Implementation Plan (SIP). These revisions concern volatile organic compound (VOC) emissions from vanishing oils, rust inhibitors, plastic coatings, rubber coatings, glass coatings, and aerospace operations. We are proposing to approve these local rules to

regulate these emission sources under the Clean Air Act as amended in 1990 (CAA or the Act).

**DATES:** Any comments on this proposal must arrive by August 13, 2010.

**ADDRESSES:** Submit comments, identified by docket number [EPA-R09-OAR-2010-0514], by one of the following methods:

1. *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the on-line instructions.

2. *E-mail:* [steckel.andrew@epa.gov](mailto:steckel.andrew@epa.gov).

3. *Mail or deliver:* Andrew Steckel (Air-4), U.S. Environmental Protection Agency Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901.

**Instructions:** All comments will be included in the public docket without change and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that you consider CBI or otherwise protected should be clearly identified as such and should not be submitted through <http://www.regulations.gov> or e-mail. <http://www.regulations.gov> is an "anonymous access" system, and EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send e-mail directly to EPA, your e-mail address will be automatically captured and included as part of the public comment. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

**Docket:** The index to the docket for this action is available electronically at <http://www.regulations.gov> and in hard copy at EPA Region IX, 75 Hawthorne Street, San Francisco, California. While all documents in the docket are listed in the index, some information may be publicly available only at the hard copy location (e.g., copyrighted material), and some may not be publicly available in either location (e.g., CBI). To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed in the **FOR FURTHER INFORMATION CONTACT** section.

**FOR FURTHER INFORMATION CONTACT:** Nicole Law, EPA Region IX, (415) 947-4126, [law.nicole@epa.gov](mailto:law.nicole@epa.gov).

**SUPPLEMENTARY INFORMATION:** This proposal addresses the following local rules: SCAQMD 1144, SCAQMD 1145, and SMAQMD 456. In the Rules and

Regulations section of this **Federal Register**, we are approving these local rules in a direct final action without prior proposal because we believe these SIP revisions are not controversial. If we receive adverse comments, however, we will publish a timely withdrawal of the direct final rule and address the comments in subsequent action based on this proposed rule. Please note that if we receive adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, we may adopt as final those provisions of the rule that are not the subject of an adverse comment.

We do not plan to open a second comment period, so anyone interested in commenting should do so at this time. If we do not receive adverse comments, no further activity is planned. For further information, please see the direct final action.

Dated: June 18, 2010.

**Jared Blumenfeld,**

*Regional Administrator, Region IX.*

[FR Doc. 2010-17074 Filed 7-13-10; 8:45 am]

**BILLING CODE 6560-50-P**

## GENERAL SERVICES ADMINISTRATION

### 41 CFR Part 102-38

[FMR Case 2010-102-3; Docket 2010-0014; Sequence 1]

RIN 3090-AJ04

### Federal Management Regulation; Sale of Personal Property

**AGENCY:** Office of Governmentwide Policy, General Services Administration (GSA).

**ACTION:** Proposed rule.

**SUMMARY:** The General Services Administration is amending the Federal Management Regulation (FMR) by amending the provisions for the sale of personal property through Federal Asset Sales (FAS) Sales Centers.

**DATES:** Interested parties should submit comments in writing on or before August 13, 2010 to be considered in the formulation of a final rule.

**ADDRESSES:** Submit comments identified by FMR case 2010-102-3 by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Agency Web Site:* <http://www.gsa.gov/fmr>. Click on FMR Proposed Rules, and the FMR case number to submit comments.

- *E-mail:* [fmr.case.2010-102-3@gsa.gov](mailto:fmr.case.2010-102-3@gsa.gov). Include FMR case 2010-102-3 in the subject line of the message.

- *Fax:* 202-501-4067.

- *Mail:* General Services Administration, Regulatory Secretariat (MVCB), 1800 F Street, NW., Room 4041, ATTN: Hada Flowers, Washington, DC 20405.

**Instructions:** Please submit comments only and cite FMR case 2010-102-3 in all correspondence related to this case. All comments received will be posted without change to <http://www.gsa.gov/fmr>, including any personal information provided. Click on FMR Public Comments.

**FOR FURTHER INFORMATION CONTACT:** The Regulatory Secretariat, Room 4041, GS Building, Washington, DC 20405, at (202) 501-4755 for information pertaining to status or publication schedules. For clarification of content, contact Mr. Robert Holcombe, Office of Governmentwide Policy, Personal Property Management Policy, at (202) 501-3828, or e-mail at [robert.holcombe@gsa.gov](mailto:robert.holcombe@gsa.gov). Please cite FMR case 2010-102-3.

### SUPPLEMENTARY INFORMATION:

#### A. Background

This proposed amendment to part 102-38 of the Federal Management Regulation (41 CFR part 102-38) updates policy pursuant to the transfer of the oversight of the Federal Asset Sales program from GSA's Office of Governmentwide Policy to GSA's Federal Acquisition Service. Due to this transfer, and the incorporation of these practices into the way the Government sells its property, references to the Executive Steering Committee, Planning Office and the eFAS acronym are proposed to be removed.

This proposed amendment also—

1. Adds the definition for contractor inventory and revises the definitions for Federal Asset Sales and Sales Center (section 102-38.35);

2. Clarifies that contractor inventory may be disposed of by the contractor when required by the Federal contract (section 102-38.40);

3. Clarifies the reporting requirement for negotiated sales (section 102-38.115(a));

4. Removes reference to Standard Form (SF) 97A, as this form is no longer available from GSA. (Section 102.38.285.);

5. Clarifies the policy on antitrust requirements (section 102-38.325); and

6. Makes minor edits, updates organizational designations, and makes non-substantive changes to improve the readability and ease of use of this policy.