

still be required in order to provide a measure of the overall control efficiency of the total emission control system.

## II. The Rulemaking

This rulemaking proposes to add seven methods for measuring CE to appendix M of 40 CFR part 51 to provide methods that States can use in their SIP's.

## III. Administrative Requirements

### A. Public Hearing

A public hearing will be held, if requested, to discuss the proposed amendment in accordance with section 307(d)(5) of the Clean Air Act. Persons wishing to make oral presentations should contact EPA at the address given in the ADDRESSES section of this preamble. Oral presentations will be limited to within 15 minutes each. Any member of the public may file a written statement with EPA before, during, or within 30 days after the hearing. Written statements should be addressed to the Air Docket Section address given in the ADDRESSES section of this preamble.

A verbatim transcript of the hearing and written statements will be available for public inspection and copying during normal working hours at EPA's Air Docket Section in Washington, DC (see ADDRESSES section of this preamble).

### B. Docket

The docket is an organized and complete file of all the information considered by EPA in the development of this rulemaking. The docket is a dynamic file, since material is added throughout the rulemaking development. The docketing system is intended to allow members of the public and industries involved to identify and locate documents readily so that they may effectively participate in the rulemaking process. Along with the statement of basis and purpose of the proposed and promulgated test method revisions and EPA responses to significant comments, the contents of the docket, except for interagency review materials, will serve as the record in case of judicial review [Section 307(d)(7)(A)].

### C. Executive Order 12866

Under Executive Order 12866 (58 FR 51735 (October 4, 1993)), the Agency must determine whether a regulatory action is "significant" and therefore subject to Office of Management and Budget (OMB) review and the requirements of this Executive Order. The Order defines "significant regulatory action" as one that is likely to result in a rule that may:

(1) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;

(2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs, or the rights and obligation of recipients thereof; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

Pursuant to the terms of Executive Order 12866, it has been determined that this rule is not "significant" because none of the listed criteria apply to this action. Consequently, this action was not submitted to OMB for review under Executive Order 12866.

### D. Unfunded Mandates Act

Section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act") (signed into law on March 22, 1995) requires that the Agency prepare a budgetary impact statement before promulgating a rule that includes a Federal mandate that may result in expenditure by State, local, and tribal governments, in aggregate, or by the private sector of \$100 million or more in any one year. Section 204 requires the Agency to establish a plan for obtaining input from and informing, educating, and advising any small governments that may be significantly or uniquely affected by the rule.

Under section 205 of the Unfunded Mandates Act, the Agency must identify and consider a reasonable number of regulatory alternatives before promulgating a rule for which a budgetary impact statement must be prepared. The agency must select from those alternatives the least costly, most cost-effective, or least burdensome alternative that achieves the objectives of the rule, unless the Agency explains why this alternative is not selected or the selection of this alternative is inconsistent with law.

Because this proposed rule is estimated to result in the expenditure by State, local, and tribal governments or the private sector of less than \$100 million in any one year, the Agency has not prepared a budgetary impact statement or specifically addressed the selection of the least costly, most cost-effective, or least burdensome alternative. Because small governments

will not be significantly or uniquely affected by this rule, the Agency is not required to develop a plan with regard to small governments.

### E. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) of 1980 requires the identification of potentially adverse impacts of Federal regulations upon small business entities. The RFA specifically requires the completion of an analysis in those instances where small business impacts are possible. This rulemaking does not impose emission measurement requirements beyond those specified in the current regulations, nor does it change any emission standard. Because this rulemaking imposes no adverse economic impacts, an analysis has not been conducted.

Pursuant to the provision of 5 U.S.C. 605(b), I hereby certify that the promulgated rule will not have an impact on small entities because no additional costs will be incurred.

### F. Paperwork Reduction Act

The rule does not change any information collection requirements subject of Office of Management and Budget review under the Paperwork Reduction Act of 1980, 44 U.S.C. 3501 *et seq.*

### G. Statutory Authority

The statutory authority for this proposal is provided by section 110 of the Clean Air Act, as amended: 42 U.S.C., 7410.

Dated: July 25, 1995.

**Carol M. Browner,**  
*The Administrator.*

[FR Doc. 95-18994 Filed 8-1-95; 8:45 am]

BILLING CODE 6560-50-P

## 40 CFR Parts 52 and 81

[NC72-1-6953b; FRL-5258-5]

### Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; State of North Carolina

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

**ACTION:** Proposed rule.

**SUMMARY:** The EPA proposes to approve the state implementation plan (SIP) revision submitted by the State of North Carolina for the purpose of redesignating the areas of Charlotte and Raleigh/Durham to attainment for carbon monoxide (CO). In the final rules section of this **Federal Register**, the EPA is approving the State's SIP revision as a direct final rule without prior proposal

because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to that direct final rule, no further activity is contemplated in relation to this proposed rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this document. Any parties interested in commenting on this document should do so at this time.

**DATES:** To be considered, comments must be received by September 1, 1995.

**ADDRESSES:** Written comments should be sent to Ben Franco, EPA Region 4, Air Programs Branch, 345 Courtland Street NE, Atlanta, Georgia, 30365. Copies of the redesignation request and the State of North Carolina's submittals are available for public review during normal business hours at the addresses listed below. EPA's technical support document (TSD) is available for public review during normal business hours at the EPA addresses listed below.

Air and Radiation Docket and Information Center (Air Docket 6102), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460.

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

Department of Environment, Health and Natural Resources, P.O. Box 29535, Raleigh, North Carolina 27626-0535.

**FOR FURTHER INFORMATION CONTACT:** Ben Franco of the EPA Region 4 Air Programs Branch at (404) 347-3555, ext. 4211, and at the above address.

**SUPPLEMENTARY INFORMATION:** For additional information see the direct final rule which is published in the rules section of this **Federal Register**.

Dated: June 26, 1995.

**Patrick M. Tobin,**

*Acting Regional Administrator.*

[FR Doc. 95-18882 Filed 8-1-95; 8:45 am]

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#### 40 CFR Part 61

[FRL-5269-9]

#### Interim Approval of Delegation of Authority; National Emission Standards for Hazardous Air Pollutants; Radionuclides; Washington

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA proposes to grant interim delegation of authority to the state of Washington to implement and enforce two National Emission Standards for Hazardous Air Pollutants (NESHAPs) for radionuclides. The request for delegation was submitted by the state pursuant to 40 CFR 63.91 for delegation of federal standards, as promulgated. In the final rules section of this **Federal Register**, EPA is granting interim approval of the state's request for delegation as a direct final rule without prior proposal because the Agency views this as a noncontroversial action and anticipates no adverse comments. EPA's rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this action. Thus, any parties interested in commenting on this action should do so in the next 30 days.

**DATES:** Comments on this proposed rule must be received in writing by September 1, 1995.

**ADDRESSES:** Written comments should be addressed to Richard Poeton, EPA Region 10, AT-082, 1200 6th Avenue, Seattle, Washington 98191 and concurrently to Allen W. Conklin, Head, Air Emissions and Defense Waste Section, Washington Department of Health, Airstustrial Center Building #5, P.O. Box 47827, Olympia, Washington, 98504-7827. Copies of the material submitted to EPA are available for public inspection during normal business hours at the above locations.

**FOR FURTHER INFORMATION CONTACT:** Richard Poeton at (206) 553-8633.

**SUPPLEMENTARY INFORMATION:** See the information provided in the final action which is located in the final rules section of this **Federal Register**.

#### List of Subjects in 40 CFR Part 61

Environmental Protection, Air pollution control, Intergovernmental relations, Radiation protection.

**Authority:** 42 U.S.C. 7412.

Dated: July 20, 1995.

**Chuck Clarke,**

*Regional Administrator, Region 10.*

[FR Doc. 95-18988 Filed 8-1-95; 8:45 am]

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#### 40 CFR Part 180

[PP 8E3574/P620; FRL-4963-5]

RIN 2070-AC18

#### Terbufos; Pesticide Tolerance

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA proposes to extend the time-limited import tolerance for combined residues of the insecticide/nematicide terbufos and its cholinesterase-inhibiting metabolites in or on the raw agricultural commodity (RAC) green coffee beans for an additional 2 years. American Cyanamid Co. submitted a petition pursuant to the Federal Food, Drug and Cosmetic Act (FFDCA) requesting the proposed regulation to establish a maximum permissible level for combined residues of the insecticide/nematicide in or on the commodity.

**DATES:** Comments, identified by the document control number [PP 8E3574/P620], must be received on or before September 1, 1995.

**ADDRESSES:** By mail, submit written comments to: Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, bring comments to: Rm. 1132 CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202. Information submitted as a comment concerning this document may be claimed confidential by marking any part or all of that information as "Confidential Business Information" (CBI). Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. All written comments will be available for public inspection in Rm. 1132 at the address given above, from 8 a.m. to 4:30 p.m.,