

(8) Section 527, Areas Subject to Sections 521 through 526.

(9) Section 602, Particulate Matter (test methods).

(10) Section 606, Visible Emissions (measurement).

(11) Section 607, Coke Oven Emissions (measurement).

(12) Section 608, Coke Oven Gas (measurement of hydrogen sulfide content).

(ii) Additional material.

(A) Remainder of the December 31, 1992 submittal pertaining to the Allegheny County portion of the Pennsylvania SIP to reduce PM-10 emissions and visible emissions from several categories of fugitive dust sources.

(92) Revisions to the Allegheny County portion of the Pennsylvania SIP to reduce PM-10 emissions including the newly created Allegheny County Article XXI which both revised and added emission reduction requirements for certain industrial boilers, various emission points at US Steel's Clairton Coke Works and the Glassport Transportation Center, new definitions related to coke oven gas emissions, and new test methods for particulate matter; submitted by the Pennsylvania Department of Environmental Resources on January 6, 1994 and effective February 1, 1994.

(i) Incorporation by reference.

(A) Letter of January 6, 1994 from the Pennsylvania Department of Environmental Resources transmitting Article XXI of Allegheny County Health Department Rules and Regulations.

(B) The newly created Article XXI of Allegheny County Health Department Rules and Regulations in its entirety, effective February 1, 1994.

(1) Part A (sections 2101 *et seq.*), General, reserved in part:

(i) Section 2101, Short Titles.

(ii) Section 2101.3, Effective Date and Repealer.

(iii) Section 2101.20, Definitions.

(2) Part B (sections 2102 *et seq.*), Installation Permits, reserved.

(3) Part C (sections 2103 *et seq.*), Operating Permits and Licenses, reserved.

(4) Part D (sections 2104 *et seq.*), Pollutant Emission Standards, reserved in part.

(i) Section 2104.6, Particulate Mass Emissions, replaces section 402 of Article XX.

(5) Part E (sections 2105 *et seq.*), Sources Emission and Operating Standards, reserved in part.

(f) Section 2105.21, Coke Ovens and Coke Oven Gas, replaces section 520.B. through 520.J. and section 530 of Article XX.

(ii) Section 2105.49, Fugitive Emissions, replaces section 528 of Article XX.

(6) Part F (sections 2106 *et seq.*), Air Pollution Episodes, reserved.

(7) Part G (sections 2107 *et seq.*), Methods, reserved in part:

(i) Section 2107.1, General.

(ii) Section 2107.2, Particulate Matter.

(8) Part H (sections 2108 *et seq.*), Compliance, reserved.

(9) Part I (sections 2109 *et seq.*), Enforcement, reserved.

(ii) Additional material.

(A) Remainder of the January 6, 1994 State submittal.

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BILLING CODE 6560-50-M

#### 40 CFR Part 62

[TN-115-01-9616a; FRL-5519-6]

#### Approval and Promulgation of Air Quality Implementation Plans; Tennessee; Approval of Revisions to Process Gaseous Emission Standards for Total Reduced Sulfur Emissions From Kraft Mills

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

**ACTION:** Direct final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is approving revisions to the Tennessee State Implementation Plan (SIP), submitted by the State of Tennessee through the Tennessee Department of Environment and Conservation on June 25, 1993. The submittal included revisions to the State's regulations for Process Gaseous Emission Standards for Total Reduced Sulfur (TRS) from Kraft Mills. These revisions were made to bring these regulations into compliance with the 1990 amendments to the Clean Air Act (the Act) and the Federal regulations. EPA finds that the revised rules meet the Federal requirements for process emission standards for sulfur emissions.

**DATES:** This final rule is effective August 12, 1996, unless adverse or critical comments are received by July 12, 1996. If the effective date is delayed, timely notice will be published in the Federal Register.

**ADDRESSES:** Written comments should be addressed to: Ms. Karen Borel, at the Regional Office Address listed below.

Copies of the material submitted by the State of Tennessee may be examined during normal business hours at the following locations:

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.

Tennessee Division of Air Pollution Control, 9th Floor L&C Annex, 401 Church Street, Nashville, Tennessee 37243-1531.

#### FOR FURTHER INFORMATION CONTACT:

Interested persons wanting to examine documents relative to this action should make an appointment with the Region 4 Air Programs Branch at least 24 hours before the visiting day. To schedule the appointment or to request additional information, contact Karen C. Borel, Regulatory Planning and Development Section, Air Programs Branch, Air, Pesticides & Toxics Management Division, Region 4 EPA, 345 Courtland Street, NE, Atlanta, Georgia 30365. The telephone number is 404/347-3555 extension 4197. Reference file TN115-01-9616.

**SUPPLEMENTARY INFORMATION:** On June 25, 1993, the State of Tennessee submitted revisions to the Tennessee SIP, through the State of Tennessee Department of Environment and Conservation. These revisions were made to bring this regulation into accordance with the guidance provided in the official EPA guidance document (EPA-450/2-78-0003b) and to improve the ambient air quality surrounding affected facilities. The SIP revision was reviewed by EPA to determine completeness, and a letter of completeness dated July 26, 1993, was sent to the State of Tennessee. EPA finds that the revisions provide for consistency with the Act and corresponding Federal regulations. EPA is approving the following revisions to the Tennessee SIP.

#### Rule 1200-3-7-.07(4) Total Reduced Sulfur Emissions From Kraft Mills

(a) This subparagraph is amended by striking the number "24" and inserting the number "12."

(b) This subparagraph is amended by striking the number "24" and inserting the number "12."

This new rule meets the requirements set forth in the EPA guidance document EPA 450/2-78-0003b, March, 1979. This recommends the 12-hour averaging interval. Statistically the reduction in the averaging time interval will result in reduced TRS emissions which will improve ambient air quality surrounding the affected facilities.

#### Final Action

EPA is approving revisions to subparagraphs 1200-3-7-.07(4)(a) and

(b) for Total Reduced Sulfur Emissions for Kraft Mills. Specifically, EPA is approving Tennessee's submittal as meeting the gaseous emissions requirements for TRS emissions for Kraft Mills.

The EPA is publishing this action without prior proposal because the Agency views this as a noncontroversial action 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. This action will be effective on August 12, 1996, unless, by July 12, 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 the 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 on August 12, 1996.

Under section 307(b)(1) of the Act, 42 U.S.C. 7607 (b)(1), petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by August 12, 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) of the Act, 42 U.S.C. 7607 (b)(2).]

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 (OMB) has exempted this regulatory action from E.O. 12866 review.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any SIP. Each request for revision to any 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.*, 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, EPA may certify that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small business, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

SIP approvals under sections 110 and 11 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, 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 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 (1976); 42 U.S.C. 7410(a)(2) and 7410(k)(3).

Under Sections 202, 203, and 205 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, EPA must undertake various actions in association with proposed or final rules that include a Federal mandate that may result in estimated costs of \$100 million or more to the private sector, or to State, local, or tribal governments in the aggregate.

Through submission of this state implementation plan or plan revision, the State and any affected local or tribal governments have elected to adopt the program provided for under Section 165 of the CAA. These rules may bind State, local and tribal governments to perform certain actions and also require the private sector to perform certain duties. EPA has examined whether the rules being approved by this action will impose no new requirements, since such sources are already subject to these regulations under State law. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action, and therefore there will be no significant impact on a substantial number of small entities.

List of Subjects in 40 CFR Part 62

Environmental protection, Air pollution control, Paper and paper products industry, Phosphate, Reporting and recordkeeping requirements, Sulfuric oxides.

Dated: May 28, 1996.

A. Stanley Meiburg,  
Acting Regional Administrator.

Part 62, of chapter I, title 40, *Code of Federal Regulations*, is amended as follows:

## **PART 62—[AMENDED]**

1. The authority citation for part 62 continues to read as follows:

Authority: 42 U.S.C. 7413 and 7601.

### **Subpart RR—Tennessee**

2. Subpart RR is amended by adding an undesignated heading and a new § 62.10625 to read as follows:

Total Reduced Sulfur Emissions From Existing Kraft Pulp Mills

#### **§ 62.10625 Identification of plan.**

On June 25, 1993, the State submitted revisions to the Tennessee State Implementation Plan (SIP). These were revisions to the process gaseous emission standards. These revisions incorporate changes to Rule 1200-3-7-.07, subparagraphs (4)(a) and (4)(b) of the Tennessee SIP which bring this into conformance with the requirements of 40 CFR part 62, subpart I.

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## **40 CFR Part 81**

[ID14-6994a; FRL-5515-1]

### **Description of Areas for Air Quality Planning Purposes; State of Idaho; Correction to Boundary of the Power-Bannock Counties Particulate Matter Nonattainment Area to Exclude the Inkom Area**

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

**ACTION:** Direct final rule, correction.

**SUMMARY:** This action corrects EPA's announcement of the boundary of the Power-Bannock Counties PM-10 nonattainment area (particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers) in the State of Idaho. The boundary of the Power-Bannock Counties PM-10 nonattainment area is being corrected to exclude that portion east of the Inkom Gap, a geographic feature separating the Inkom area from the rest of the