

**PART 170—MISCELLANEOUS
REGULATIONS RELATING TO LIQUOR**

Par. 12. The authority citation for part 170 is revised to read as follows:

Authority: 26 U.S.C. 5001, 5002, 5111, 5121, 5171, 5205, 5291, 5301, 5362, 7805; 31 U.S.C. 9304, 9306.

Par. 13. Subpart E, §§ 170.85–170.100 and Subpart O, §§ 170.301–170.311 are removed.

Signed: May 7, 1996.

Bradley A. Buckles,
Acting Director.

Approved: May 21, 1996.

John P. Simpson,
*Deputy Assistant Secretary, Regulatory, Tariff
& Trade Enforcement.*

[FR Doc. 96–14853 Filed 6–18–96; 8:45 am]

BILLING CODE 4810–31–P

DEPARTMENT OF EDUCATION**34 CFR Part 668**

RIN 1840–AB84

Student Assistance General Provisions

AGENCY: Department of Education.

ACTION: Final regulations.

SUMMARY: The Secretary amends the Student Assistance General Provisions regulations to add the Office of Management and Budget (OMB) control number to certain sections of the regulations. These sections contain information collection requirements approved by OMB. The Secretary takes this action to inform the public that these requirements have been approved and affected parties must comply with them.

EFFECTIVE DATE: These regulations are effective on July 1, 1996.

FOR FURTHER INFORMATION CONTACT: Lorraine Kennedy, U.S. Department of Education, 600 Independence Avenue, SW., (Room 3053, ROB–3) Washington, DC 20202. Telephone (202) 708–7888. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8 a.m. and 8 p.m. Eastern time, Monday through Friday.

SUPPLEMENTARY INFORMATION: Final regulations for the Student Assistance General Provisions were published in the Federal Register on December 1, 1995 (60 FR 61830 [Ability-to-Benefit]). Compliance with information collection requirements in certain sections of these regulations was delayed until those requirements were approved by OMB under the Paperwork Reduction Act of

1995. OMB approved the information collection requirements in the regulations on May 1, 1996. The information collection requirements in these regulations will therefore become effective with all of the other provisions of the regulations on July 1, 1996.

Waiver of Proposed Rulemaking

It is the practice of the Secretary to offer interested parties the opportunity to comment on proposed regulations. However, the publication of OMB control numbers is purely technical and does not establish substantive policy. Therefore, the Secretary has determined under 5 U.S.C. 553 (b)(B), that public comment on the regulations is unnecessary and contrary to the public interest.

List of Subjects in 34 CFR Part 668

Administrative practice and procedure, Colleges and universities, Consumer protection, Education, Loan programs—education, Reporting and recordkeeping requirements, Student aid, Vocational education.

Dated: June 14, 1996.

David A. Longanecker,
*Assistant Secretary for Postsecondary
Education.*

The Secretary amends Part 668 of Title 34 of the Code of Federal Regulations as follows:

**PART 668—STUDENT ASSISTANCE
GENERAL PROVISIONS**

1. The authority citation for Part 668 continues to read as follows:

Authority: 20 U.S.C. 1085, 1088, 1091, 1092, 1094, 1099c, and 1141 unless otherwise noted.

**§§ 668.143 through 668.146, 668.148
through 668.153, 668.156 [Amended]**

2. Sections 668.143, 668.144, 668.145, 668.146, 668.148, 668.149, 668.150, 668.151, 668.152, 668.153, and 668.156 are amended by adding the OMB control number following each section to read as follows: “(Approved by the Office of Management and Budget under control number 1840–0627)”.

[FR Doc. 96–15649 Filed 6–18–96; 8:45 am]

BILLING CODE 4000–01–M

**ENVIRONMENTAL PROTECTION
AGENCY****40 CFR Part 52**

[LA–16–1–7165a; FRL–5522–6]

**Approval and Promulgation of Air
Quality Plans; Louisiana; Revision to
the State Implementation Plan (SIP)
Addressing Ozone Monitoring**

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: The EPA is approving a revision to Louisiana’s SIP for ozone. This action is based upon a revision request which was submitted by the State to satisfy the requirements of the Clean Air Act (Act), as amended November 15, 1990, and the Photochemical Assessment Monitoring Stations (PAMS) regulations. The PAMS regulations require the State to provide for the establishment and maintenance of an enhanced ambient air quality monitoring network in the form of PAMS by November 12, 1993.

DATES: This final rule is effective August 19, 1996, unless adverse comments are received by July 19 1996. If the effective date is delayed, timely notice will be published in the Federal Register (FR).

ADDRESSES: Written comments should be addressed to Mr. Thomas H. Diggs, Chief, Air Planning Section (6PD–L), at the EPA Regional Office listed below. Copies of the documents relevant to this final 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.

Environmental Protection Agency,
Region 6, Multimedia Planning and
Permitting Division, 1445 Ross
Avenue, Suite 700, Dallas, Texas
75202–2733, telephone (214) 665–
7214.

Louisiana Department of Environmental
Quality, Office of Air Quality and
Radiation Protection, H. B. Garlock
Building, 7290 Bluebonnet Blvd.,
Baton Rouge, Louisiana 70810.

FOR FURTHER INFORMATION CONTACT: Ms. Jeanne M. McDaniels, Air Planning Section (6PD–L), Environmental Protection Agency, Region 6, 1445 Ross Avenue, Dallas, Texas 75202–2733, telephone (214) 665–7254.

SUPPLEMENTARY INFORMATION:**I. Background**

On September 10, 1993, the Louisiana Department of Environmental Quality

(LDEQ) submitted to the EPA a SIP revision incorporating PAMS into the ambient air quality monitoring network of State or Local Air Monitoring Stations (SLAMS) and National Air Monitoring Stations (NAMS). The State will establish and maintain PAMS as part of its overall ambient air quality monitoring network.

Section 182(c)(1) of the Act and the General Preamble¹ require that the EPA promulgate rules for enhanced monitoring of ozone, oxides of nitrogen (NO_x), and volatile organic compounds (VOC) no later than 18 months after the date of the enactment of the Act. In addition, the Act requires that, following the promulgation of the rules relating to enhanced ambient monitoring, the State must commence actions to adopt and implement a program, based on these rules, to improve monitoring for ambient concentrations of ozone, NO_x and VOC and to improve monitoring of emissions of NO_x and VOC.

The final PAMS rule was promulgated by the EPA on February 12, 1993 (58 FR 8452). Section 58.40(a) of the rule requires the State to submit a PAMS network description, including a schedule for implementation, to the Administrator within six months after promulgation or by August 12, 1993. Further, section 58.20(f) requires the State to provide for the establishment and maintenance of a PAMS network within nine months after promulgation of the final rule or by November 12, 1993.

On July 1, 1993, the LDEQ submitted to the EPA a proposed SIP revision which included a PAMS network description. The LDEQ held a public hearing on the proposed PAMS SIP revision on August 23, 1993. No comments were received either during the public hearing or the public comment period with the exception of one written comment submitted by the EPA as discussed below.

On September 10, 1993, the State submitted the official PAMS SIP revision. Louisiana's PAMS SIP revision is intended to meet the requirements of section 182(c)(1) of the Act and effect compliance with the PAMS regulations promulgated on February 12, 1993, and codified at 40 CFR part 58.

On September 27, 1993, the LDEQ submitted to the EPA a revised PAMS network description including a schedule for implementation. (The EPA conditionally approved the network description on April 21, 1994, and

granted final approval of the network description on October 13, 1995.)

It should be noted that, since network descriptions may change annually, they are not part of the SIP as recommended by the EPA's "Guideline for the Implementation of the Ambient Air Monitoring Regulations 40 CFR Part 58 (November 1979)." The network description is negotiated and approved during an annual review as required by 40 CFR sections 58.25, 58.36, and 58.46. EPA did, however, require States to provide a copy of the proposed PAMS network description, including phase-in schedule, on file for public inspection during the public notice/comment period for the PAMS SIP revision or, alternatively, provide information to the public upon request concerning the State's plans for implementing the rules. As stated earlier, Louisiana included a network description and implementation schedule in the proposed PAMS SIP revision.

On November 17, 1993, the EPA sent the Governor of Louisiana a letter finding the September 10, 1993, PAMS SIP submittal administratively complete.

II. Analysis of State Submittal

The Louisiana PAMS SIP revision will provide Louisiana with the authority to establish and operate the PAMS sites, secure State funds for PAMS and provide the EPA with the authority to enforce the implementation of PAMS, since their implementation is required by the Act.

The criteria used to review the proposed SIP revision are derived from the PAMS regulations codified at 40 CFR Part 58; the EPA's "Guideline for the Implementation of the Ambient Air Monitoring Regulations 40 CFR part 58"; a September 2, 1993, memorandum from G. T. Helms, Office of Air Quality Planning and Standards, entitled, "Final Boilerplate Language for the PAMS SIP Submittal"; the Act; and the General Preamble.

The Louisiana PAMS SIP revision provides that the State will implement PAMS as required in 40 CFR Part 58, as amended February 12, 1993. The State will amend its SLAMS and its NAMS monitoring systems to include the PAMS requirements. It will develop its PAMS network design and establish monitoring sites pursuant to 40 CFR part 58 in accordance with an approved network description and as negotiated with the EPA through the section 105 grant process on an annual basis. To date, the State has successfully implemented a PAMS network as required in 40 CFR part 58.

The Louisiana PAMS SIP revision also includes a provision to meet quality assurance requirements as contained in 40 CFR part 58, appendix A. The State also assures that the State's PAMS monitors will meet monitoring methodology requirements contained in 40 CFR part 58, appendix C. Lastly, the State assures that the Louisiana PAMS network will be phased in over a period of five years as required in 40 CFR 58.44. The State's PAMS SIP submittal and the EPA's technical support document are available for viewing at the EPA Region 6 office and the LDEQ's Baton Rouge office as outlined under the **ADDRESSES** section of this FR document.

The State addressed, in the final PAMS SIP submittal, EPA Region 6's comment on the proposed SIP that the SIP should include a clear statement that the LDEQ intends to implement PAMS pursuant to 40 CFR part 58 as amended February 12, 1993.

III. Rulemaking Action

In this action, the EPA is approving the revision to the Louisiana Ozone SIP for PAMS. The EPA has reviewed this revision to the Louisiana SIP and is approving it as submitted because it meets the requirements of section 182(c)(1) of the Act and the appropriate sections of 40 CFR part 58.

Copies of the State's SIP revision and the Technical Support Document (TSD) detailing EPA's review of the SIP revision are available at the address listed in the **ADDRESSES** section above. For a detailed analysis of the SIP revision, the reader is referred to the TSD.

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 August 19, 1996, unless by July 19, 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

¹ "General Preamble for the Implementation of Title I of the Clean Air Act Amendments of 1990," 57 FR 13515, dated April 16, 1992.

received, the public is advised that this action will be effective August 19, 1996.

The EPA has reviewed this request for revision of the federally-approved SIP for conformance with the provisions of the Act as amended November 15, 1990. The EPA has determined that this action conforms with those requirements.

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 of final rule on 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.

The 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.

The 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 State, local, or tribal governments in the aggregate, or to the private sector. This Federal action approves pre-existing 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 Act, 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 August 19, 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, Nitrogen dioxide, Ozone, Volatile organic compounds.

Dated: June 10, 1996.

Allyn M. Davis,

Acting Regional Administrator.

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 T—Louisiana

2. Section 52.995 is added to read as follows:

§ 52.995 Enhanced ambient air quality monitoring.

(a) The Governor of the State of Louisiana submitted the photochemical assessment monitoring stations (PAMS) State Implementation Plan (SIP) revision for the Baton Rouge ozone nonattainment area on September 10, 1993. This SIP submittal satisfies 40 CFR 58.20(f), which requires the State to provide for the establishment and maintenance of PAMS.

(b) The Baton Rouge ozone nonattainment area is classified as Serious and includes Ascension, East Baton Rouge, Iberville, Livingston, Pointe Coupee, and West Baton Rouge Parishes.

[FR Doc. 96-15589 Filed 6-18-96; 8:45 am]

BILLING CODE 6560-50-P

40 CFR Part 180

[OPP-300418A; FRL-5375-9]

RIN 2070-AB78

Oxidized Pine Lignin, Sodium Salt; Tolerance Exemption

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This document establishes an exemption from the requirement of a tolerance for residues of oxidized pine lignin, sodium salt when used as an inert ingredient (surfactant or related adjuvant of a surfactant) in pesticide formulations applied to growing crops, to raw agricultural commodities after harvest, or to animals. LignoTech USA, Inc. requested this regulation pursuant to the Federal Food, Drug and Cosmetic Act (FFDCA).

EFFECTIVE DATE: This regulation becomes effective June 19, 1996.

ADDRESSES: Written objections, identified by the docket number, [OPP-300418A] may be submitted to: Hearing Clerk (1900), Environmental Protection Agency, Rm. M3708, 401 M St., SW., Washington, DC 20460. A copy of any objections and hearing requests filed with the Hearing Clerk should be identified by the docket number and submitted 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 copy of objections and hearing request to: Rm. 1132, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202. Fees accompanying objections shall be labeled "Tolerance Petition Fees" and