

be met on or before August 22, 1996, and because immediate guidance is necessary for possessors of plastic explosives to comply with the requirement, it is found to be impracticable to issue this Treasury decision with notice and public procedure under 5 U.S.C. 553(b), or subject to the effective date limitation in section 553(d).

Regulatory Flexibility Act

The provisions of the Regulatory Flexibility Act relating to an initial and final regulatory analysis (5 U.S.C. 604) are not applicable to this final rule because the agency was not required to publish a notice of proposed rulemaking under 5 U.S.C. 553 or any other law. Accordingly, a regulatory flexibility analysis is not required.

Paperwork Reduction Act

This regulation is being issued without prior notice and public procedure pursuant to the Administrative Procedure Act (5 U.S.C. 553). For this reason, the collection of information contained in this regulation has been reviewed under the requirements of the Paperwork Reduction Act (44 U.S.C. 3507(j)) and, pending receipt and evaluation of public comments, approved by the Office of Management and Budget (OMB) under control number 1512-0535. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number assigned by the Office of Management and Budget.

Comments concerning the collection of information should be directed to the Office of Management and Budget, Attention: Desk Officer for the Department of the Treasury/Bureau of Alcohol, Tobacco and Firearms, Office of Information and Regulatory Affairs, Washington, DC 20503, with copies to the Chief, Document Services Branch, Room 3450, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue, N.W., Washington, DC 20226.

The estimated average annual burden associated with the collection of information in this regulation is 1.0 hour per respondent or recordkeeper.

The collection of information in this regulation is in section 27 CFR 55.181. This information is required by 18 U.S.C. 842(o) which requires that any person possessing plastic explosives on April 24, 1996, report the quantity of such explosives possessed, the manufacturer or importer, any marks of identification on such explosives, and such other information as the Secretary may prescribe by regulation within 120

days of the date of enactment. The likely respondents are Federal explosives licensees, and State, and local governmental entities. Estimated total annual reporting and recordkeeping burden: 1,000 hours. Estimated number of respondents and recordkeepers: 1,000. Estimated annual frequency of responses: One time only.

Drafting Information. The author of this document is Gail E. Hosey, Firearms and Explosives Regulatory Division, Bureau of Alcohol, Tobacco and Firearms.

List of Subjects in 27 CFR Part 55

Administrative practice and procedure, Authority delegations, Customs duties and inspection, Explosives, Hazardous materials, Imports, Penalties, Reporting and recordkeeping requirements, Safety, Security measures, Seizures and forfeitures, Transportation, and Warehouses.

Authority and Issuance

27 CFR part 55 is amended as follows:

PART 55—COMMERCE IN EXPLOSIVES

Paragraph 1. The authority citation for 27 CFR part 55 is revised to read as follows:

Authority: 18 U.S.C. 842, 843, 845, 846, 847.

Par. 2. Section 55.11 is amended by adding the term "plastic explosive" to read as follows:

§ 55.11 Meaning of terms.

* * * * *

Plastic explosive. An explosive material in flexible or elastic sheet form formulated with one or more high explosives which in their pure form has a vapor pressure less than 10^{-4} Pa at a temperature of 25° C., is formulated with a binder material, and is as a mixture malleable or flexible at normal room temperature.

* * * * *

Par. 3. Subpart J consisting of § 55.181 is added to read as follows:

Subpart J—Marking of Plastic Explosives

§ 55.181 Reporting of plastic explosives.

All persons, other than an agency of the United States (including any military reserve component) or the National Guard of any State, possessing any plastic explosive on April 24, 1996, shall submit a report to the Director no later than August 22, 1996. The report shall be in writing and mailed by certified mail (return receipt requested) to the Director at P.O. Box 50204,

Washington, DC 20091-0204. The report shall include the quantity of plastic explosives possessed on April 24, 1996; any marks of identification on such explosives; the name and address of the manufacturer or importer; the storage location of such explosives, including the city and State; and the name and address of the person possessing the plastic explosives.

Signed: June 20, 1996.

John W. Magaw,
Director.

Approved: July 3, 1996.

John P. Simpson,

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

[FR Doc. 96-18617 Filed 7-19-96; 9:57 am]

BILLING CODE 4810-31-P

DEPARTMENT OF JUSTICE

Office of Justice Programs

Bureau of Justice Assistance

28 CFR Part 82

[OJP (BJA) No. 1010]

RIN 1121-AA24

State Criminal Alien Assistance Program

AGENCY: Office of Justice Programs, Bureau of Justice Assistance (BJA), Justice.

ACTION: Interim final rule.

SUMMARY: This document removes the rule governing the State Criminal Alien Assistance Program (SCAAP). Congress changed the authorization for SCAAP in Fiscal Year 1996 and, as such, the program as set forth in this interim final rule is no longer in effect or necessary.

EFFECTIVE DATE: Interim Rule Removal effective on July 23, 1996.

FOR FURTHER INFORMATION CONTACT: The Department of Justice Response Center or Linda McKay, SCAAP Coordinator, at 1-800-421-6770.

SUPPLEMENTARY INFORMATION: This notice is to announce the removal of the Interim Final Rule, 28 CFR part 82, which was promulgated as a result of a directive in the Fiscal Year 1995 Department of Justice Appropriations Act, Title VIII of Public Law 103-317, and was published on October 6, 1994, 59 FR 50830. The Fiscal Year 1995 Appropriations Act allocated \$130 million to 8 U.S.C. 1365 to create the State Criminal Alien Assistance Program (SCAAP) to provide assistance to states for costs associated with incarcerating illegal criminal aliens. No

funds were appropriated under the authority of 8 U.S.C. § 1365 this Fiscal Year and therefore, this interim rule is no longer in effect and is being removed. SCAAP will be continued by the Bureau of Justice Assistance under the authority of 8 U.S.C. 1252(j) to which Congress appropriated a total of \$500 million in Fiscal Year 1996. An announcement of funding and guidance availability for the Fiscal Year 1996 program is being published concurrently with this notice in the Federal Register.

List of Subjects in 28 CFR Part 82

Grant programs—aliens, Prisons.

Under the general program and rulemaking authority of 42 U.S.C. 3742 and 3782 and for the reasons set out in the preamble, title 28, chapter I of the Code of Federal Regulations is amended by removing part 82.

Nancy Gist,

Director, Bureau of Justice Assistance.

[FR Doc. 96-18670 Filed 7-22-96; 8:45 am]

BILLING CODE 4410-18-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[WA43-7116a; FRL-5514-4]

Approval and Promulgation of Air Quality Implementation Plans; Washington; Revision to the State Implementation Plan Vehicle Inspection and Maintenance Programs

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rulemaking.

SUMMARY: In this action, EPA is approving the Inspection and Maintenance (I/M) State Implementation Plan (SIP), for Washington State. On August 21, 1995, Washington submitted SIP revision requests to the EPA to satisfy the requirements of sections 182(b)(4) and 182(c)(3) of the Clean Air Act, as amended and Federal I/M rule 40 CFR part 51, subpart S. These SIP revisions will require vehicle owners to comply with the Washington I/M program in the two Washington ozone nonattainment areas classified as "marginal" and in the three carbon monoxide nonattainment areas classified as "moderate". This revision applies to the Washington counties of Clark, King, Pierce, Snohomish, and Spokane.

DATES: This action is effective on September 23, 1996, unless adverse or critical comments are received by

August 22, 1996. If the effective date is delayed, timely notice will be published in the Federal Register.

ADDRESSES: Written comments should be sent to Montel Livingston SIP Manager, Office of Air Quality (OAQ-107), EPA, 1200 6th Avenue, Seattle, WA 98101. Copies of material submitted to EPA may be examined during normal business hours at the following locations: EPA, Region 10, Office of Air Quality, 1200 Sixth Avenue (OAQ-107), Seattle, Washington 98101, and the Washington State Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600.

FOR FURTHER INFORMATION CONTACT: Stephanie Cooper, Office of Air Quality, (OAQ-107), 1200 6th Avenue, Seattle, WA 98101, (206) 553-6917.

SUPPLEMENTARY INFORMATION:

I. Clean Air Act Requirements

The Clean Air Act, as amended in 1990 (CAA or Act), requires States to make changes to improve existing I/M programs or implement new ones. Section 182(a)(2)(B) required any ozone nonattainment area which has been classified as "marginal" (pursuant to section 181(a) of the Act) or worse with an existing I/M program that was part of a SIP, or any area that was required by the 1977 Amendments to the Act to have an I/M program, to immediately submit a SIP revision to bring the program up to the level required in past EPA guidance or to what had been committed to previously in the SIP, whichever was more stringent. All carbon monoxide nonattainment areas were also subject to this requirement to improve existing or previously required programs to this level. In addition, any ozone nonattainment area classified as moderate or worse must implement a basic or an enhanced I/M program depending upon its classification, regardless of previous requirements.

Congress directed the EPA in section 182(a)(2)(B) to publish updated guidance for State I/M programs, taking into consideration findings of the Administrator's audits and investigations of these programs. The States were to incorporate this guidance into the SIP for all areas required by the Act to have an I/M program. Ozone nonattainment areas classified as "serious" or worse with populations of 200,000 or more, and CO nonattainment areas with design values above 12.7 ppm and populations of 200,000 or more, and metropolitan statistical areas with populations of 100,000 or more in the northeast ozone transport region, were required to meet EPA guidance for enhanced I/M programs.

The EPA has designated two areas as ozone nonattainment in the State of Washington. The Puget Sound ozone nonattainment area is classified as marginal and contains King, Pierce, and Snohomish counties. The Vancouver Air Quality Maintenance Area is classified as marginal and contains Clark county. Additionally, three areas in Washington state are designated as CO nonattainment areas. Both the Spokane Carbon Monoxide Nonattainment area (Spokane County) and the Puget Sound Carbon Monoxide Nonattainment area (King, Pierce, and portions of Snohomish Counties) have design values greater than 12.7 ppm and are designated as "moderate plus". The Vancouver Air Quality Maintenance Area is a "moderate" carbon monoxide nonattainment area, with a design value below 12.7 ppm. The central Puget Sound has an urbanized area population of 1,793,612, and Spokane has an urbanized area population of 266,709. Based on these nonattainment designations and populations, a basic I/M program is required in the Vancouver and Puget Sound ozone nonattainment area, while enhanced I/M programs are required in the Puget Sound, and Spokane carbon monoxide nonattainment areas.

By this action, the EPA is approving the submittal of the Washington I/M SIP. The EPA has reviewed the State submittal against the statutory requirements and for consistency with the EPA regulations. A summary of the EPA's analysis is provided below. In addition, a history and a summary to support approval of the State submittal is contained in a TSD, dated May 10, 1996, which is available from the Region 10 Office (address provided above).

II. I/M Regulation General SIP Submittal Requirements

The original I/M regulation was codified at 40 CFR part 51, Subpart S, and required States to submit an I/M SIP revision which includes all necessary legal authority and the items specified in 40 CFR 51.372 (a)(1) through (a)(8) by November 15, 1993. On September 18, 1995, the EPA published a final regulation establishing the "low enhanced" I/M requirements, pursuant to section 182 and 187 of the Act (40 CFR part 51). These low enhanced I/M requirements superseded the former enhanced I/M requirements. The State has met the low enhanced I/M requirements established by the September 18, 1995 rulemaking.