

track Standard Air Service packages through dispatch from the designated IPCS processing facility or the appropriate International Exchange Office facility.

626.133 Economy Air Service

Packages sent as Economy Air Service are transported by air to Japan, where they enter Japan Post's domestic surface system for delivery. The mailer can track Economy Air Service packages through dispatch from the designated IPCS Processing Facility.

626.2 Acceptance

626.21 Within 500 Miles of an IPCS Processing Facility

If the plant at which the mailer's packages originate is located within 500 miles of an IPCS processing facility, the Postal Service will verify and accept the packages at the plant and transport them to the processing facility according to a schedule agreed upon by the Postal Service and the mailer.

626.22 More than 500 Miles from an IPCS Processing Facility

626.221 Drop Shipment to an IPCS Processing Facility

If the mailer's plant from which the IPCS packages will originate is located more than 500 miles from an IPCS processing facility, the mailer may present the packages to the Postal Service for verification at the plant and transport them as a drop shipment to an IPCS Processing Facility according to a schedule agreed upon by the Postal Service and the mailer.

626.222 Customer Processing

If the plant at which the mailer's IPCS packages originate is more than 500 miles from an IPCS processing facility the mailer may process the packages using Postal Service-provided workstations and sort and prepare the packages as required by the Postal Service. The Postal Service verifies and accepts the packages at the mailer's plant according to a schedule agreed upon by the Postal Service and the mailer, and transports the packages to a designated IPCS Processing Facility for dispatch.

* * * * *

626.7 [Formerly 627] Customs Forms Required

The mailer is not normally required to affix customs forms to IPCS packages sent to Japan if the packages are processed at an IPCS Processing Facility. In such cases, the Postal Service prints the necessary customs forms, based on the package-specific

information transmitted by the mailer, and affixes the forms to the packages. If the packages are processed at the mailer's plant on Postal Service-provided workstations, those workstations print the necessary forms that the mailer normally affixes to the packages. During the interim period (maximum 60 days) in which the Postal Service and the mailer are establishing the information system linkages to enable the Postal Service to accomplish this, the mailer must affix the appropriate customs forms to the packages, as follows:

a. Express Service

Form 2976-A, Customs Declaration and Dispatch Note.

b. Standard Air Service

Form 2976-A, Customs Declaration and Dispatch Note with Form 2976-E (envelope).

c. Economy Air Service

Under \$400—Form 2976, Customs Labels; \$400 and over—2976-A, Customs Declaration and Dispatch Note.

626.8 [Formerly 628] Preparation Requirements

626.81 Express Service

626.811 Processing at an IPCS Processing Facility

Every package sent through Express Service must bear a label identifying it as an Express Service package. The mailer is not normally required to affix this label when such packages are processed at an IPCS Processing Facility. In this case, the Postal Service prints the necessary label and affixes it to the Express Service package. During the interim period in which the Postal Service and the mailer are establishing the information systems linkages to enable the Postal Service to accomplish this, the mailer is required to affix to every Express Service package Label 11-B, Express Mail Post Office to Addressee, or an alternative label as directed by the Postal Service.

* * * * *

3. Effective July 1, 1996, the Individual Country Listing for Canada in the International Mail Manual is amended by adding the regulations concerning International Package Consignment Service processing facilities:

International Package Consignment Service

Processing Facilities

IPCS packages sent to Canada are processed at a designated IPCS processing facility. The Postal Service

currently operates IPCS processing facilities at JFK International Airport and near the Dallas-Fort Worth International Airport. Additional IPCS processing centers will include Chicago, Miami, Seattle, and San Francisco.

Processing and Acceptance

More Than 500 Miles From an IPCS Processing Facility

Option 2: Customers more than 500 miles from an IPCS Processing Facility may process the packages using Postal Service provided workstations and sort and prepare the packages as required by the Postal Service. The Postal Service verifies and accepts the packages at the customer's plant according to a schedule agreed upon by the Postal Service and the customer, and the Postal Service transports the packages to a designated IPCS Processing Facility for dispatch.

4. Effective July 1, 1996, the Individual Country Listing for Great Britain and Northern Ireland in the International Mail Manual is amended by adding the regulations concerning International Package Consignment Service processing facilities.

Processing Facilities

IPCS packages sent to the United Kingdom are processed at a designated IPCS processing facility. The Postal Service currently operates IPCS processing facilities at JFK International Airport and near the Dallas-Fort Worth International Airport. Additional IPCS processing centers will include Chicago, Miami, Seattle, and San Francisco.

Processing and Acceptance

More Than 500 Miles for an IPCS Processing Facility, Option Two

For customers more than 500 miles from an IPCS Processing Facility may process the packages using Postal Service provided workstations and sort and prepare the packages as required by the Postal Service. The Postal Service verifies and accepts the packages at the customer's plant according to a schedule agreed upon by the Postal Service and the customer, and the Postal Service transports the packages to a designated IPCS Processing Facility for dispatch.

Stanley F. Mires,

Chief Counsel, Legislative.

[FR Doc. 96-19242 Filed 7-29-96; 8:45 am]

BILLING CODE 7710-12-P

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 52**

[PA065-4026a; FRL-5535-2]

Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; General Operating Permit and Plan Approval Program**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Direct final rule.

SUMMARY: EPA is approving a State Implementation Plan (SIP) revision submitted by the Commonwealth of Pennsylvania which amends 25 Pa. Code Chapter 127 to include a new Subchapter H entitled "General Plan Approvals and Operating Permits." The intended effect of this action is to enable Pennsylvania to create Federally enforceable general State operating permit and general plan approval conditions for sources of criteria pollutants pursuant to Section 110 of the Clean Air Act (the "Act"). In order to extend the Federal enforceability of general State operating permits and general plan approvals to include hazardous air pollutants (HAPs), EPA is also approving Pennsylvania's general plan approval and general operating permits program regulations pursuant to section 112(l) of the Act.

EFFECTIVE DATE: This final rule is effective September 30, 1996 unless notice is received on or before August 29, 1996 that adverse or critical comments will be submitted. If the effective date is delayed, timely notice will be published in the Federal Register.

ADDRESSES: Comments may be mailed to David Arnold, Chief, Permit Programs Section, Mailcode 3AT23, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air, Radiation, and Toxics Division, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107; the Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460; and Pennsylvania Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 8468, Harrisburg, Pennsylvania 17105-8468.

FOR FURTHER INFORMATION CONTACT: Michael H. Markowski, 3AT23, U.S.

Environmental Protection Agency, Region 3, 841 Chestnut Building, Philadelphia, Pennsylvania, 19107, (215) 566-2063.

SUPPLEMENTARY INFORMATION: On May 18, 1995, the Pennsylvania Department of Environmental Protection (PADEP) submitted to EPA for review and approval a revision to its State Implementation Plan (SIP) designed to create federally enforceable limits on a source's potential to emit. The submittal supplements the Commonwealth's existing plan approval and State operating permit programs, codified in Subchapters B and F, respectively, and consists of regulations establishing a general State operating permit program and a general plan approval program, codified in Chapter 127, Subchapter H of the Pennsylvania Code. In a March 7, 1996 Federal Register notice, EPA proposed approval of Pennsylvania's operating permit and plan approval programs codified in Subchapters F and B, respectively, of Pennsylvania's air quality regulations. See 61 FR 9125. However, in that notice, EPA did not specifically propose approval of the Pennsylvania general operating permit and general plan approval program provisions codified in Subchapter H of Pennsylvania's air quality regulations. Therefore, EPA is approving Pennsylvania's general permit programs, under Subchapter H, with this separate rulemaking action.

Summary of SIP Revision

Pennsylvania's general FESOP and general plan approval program regulations were adopted and became effective in the Commonwealth on November 26, 1994. The general operating permit and general plan approval program regulations are codified under Chapter 127, Subchapter H of the Commonwealth's air quality regulations. EPA found the SIP submittal complete on May 31, 1995.

Pennsylvania's proposed SIP revision submitted to EPA on May 18, 1995 will strengthen the Pennsylvania SIP by establishing a comprehensive general operating permit and general plan approval (i.e., construction permit) program. Pennsylvania refers to new source review construction permits as "plan approvals." Section 121.1 of the Pennsylvania air quality regulations defines general plan approvals and general operating permits as plan approvals and operating permits that are issued for a category of stationary air contamination sources that are similar in nature and that can be adequately regulated using standardized specifications and conditions. For

clarity, EPA notes that the PADEP's general permit program codified under Subchapter H of the Pennsylvania regulations is intended only to supplement, but not replace, the PADEP's existing plan approval and operating permit programs codified under Subchapters B and F, respectively, of the Pennsylvania regulations.

EPA Evaluation

On June 28, 1989 (54 FR 27274) EPA published criteria for approving and incorporating into the SIP regulatory programs for the issuance of federally enforceable state operating permits. Permits issued pursuant to an operating permit program meeting these criteria and approved into the SIP are considered federally enforceable. EPA has encouraged States to consider developing such programs in conjunction with Title V operating permit programs for the purpose of creating federally enforceable limits on a source's potential to emit. This mechanism would enable sources to reduce their potential to emit of criteria pollutants to below the Title V applicability thresholds and avoid being subject to Title V. (See the guidance document entitled, "Limitation of Potential to Emit with Respect to Title V Applicability Thresholds," dated September 18, 1992, from John Calcagni, Director of EPA's Air Quality Management Division).

As part of this action, EPA is approving Pennsylvania's general plan approval (i.e., construction permit) and general operating permit programs pursuant to Section 112(l) of the Clean Air Act for the purpose of allowing the Commonwealth to issue general plan approvals and general operating permits which limit source's potential to emit hazardous air pollutants (HAPs). Section 112(l) of the Clean Air Act provides the underlying authority for controlling emissions of HAPs. Therefore, in order to extend federal enforceability of the Commonwealth's general operating permit and general plan approval programs to include HAPs, EPA is today approving Pennsylvania's general plan approval and general operating permit programs pursuant to Section 112(l) of the Act.

Limiting a source's potential to emit to below major source thresholds through the use of federally enforceable terms and conditions in a general State operating permit or general plan approval exempts such a source from Title V permitting requirements. General State operating permit programs which have been incorporated into the SIP renders general operating permits

issued pursuant to such a program as federally enforceable, and the program itself is referred to as a federally enforceable State operating permit program, or "FESOP" program. This FESOP mechanism will allow sources to reduce their potential to emit to below the Title V applicability thresholds and avoid being subject to Title V. Similarly, general construction permit (i.e., plan approval) programs which have been incorporated into the SIP renders general construction permits, or, in Pennsylvania's case, general plan approvals, issued pursuant to such a program as federally enforceable.

A. Federal Criteria for Approval of Pennsylvania's General FESOP and General Plan Approval Programs Pursuant to Section 110 of the Act

The five criteria for approving a State operating permit program into a SIP were set forth in the June 28, 1989 Federal Register document (54 FR 27282). Permits issued under an approved program are federally enforceable and may be used to limit the potential to emit of sources of criteria air pollutants. Pennsylvania's general FESOP provisions of Subchapter H, Chapter 127 meet the June 28, 1989 criteria by ensuring that the limits will be permanent, quantifiable, and practically enforceable and by providing adequate notice and comment to both EPA and the public. Please refer to the Technical Support Document for a thorough analysis of the June 28, 1989 criteria as applied to Pennsylvania's general FESOP program.

EPA is approving pursuant to Section 110 of the Act and the approval criteria specified in the June 28, 1989 Federal Register document the following regulations that were submitted to make general operating permits and general plan approvals federally enforceable: Subchapter H, Chapter 127, Sections 127.601 through 127.622, inclusive.

As described above, Pennsylvania also submitted on May 18, 1995 for EPA approval revisions to its minor new source review construction permit (i.e., plan approval) program. Pennsylvania's new source review construction permit is called a "plan approval." These proposed revisions to the Pennsylvania SIP establish a comprehensive general plan approval program under Chapter 127, Subchapter H of the Commonwealth's air quality regulations designed to supplement the Commonwealth's existing plan approval program codified under Chapter 127, Subchapter B. The Commonwealth's plan approval program has been part of its SIP for many years and meets the requirements in Section 110(a)(2)(C) of

the Act which requires all SIPs to provide for the regulation of the modification and construction of any stationary source within the areas covered by the plan implementation as necessary to assure that national ambient air quality standards (NAAQS) are achieved. Pennsylvania's plan approval regulations under Subchapter B were originally approved by EPA into the SIP on May 31, 1972 (37 FR 10842) for the purpose of meeting the Section 110(a)(2)(C) requirement.

EPA notes that Pennsylvania had previously submitted, on February 10, 1994, its new source review (NSR) construction permit program for review and approval, for the purpose of making the program consistent with the Clean Air Act Amendments of 1990. EPA is reviewing this program submittal and will take the appropriate approval/disapproval action at a later date. EPA has reviewed the proposed changes and additions to Pennsylvania's plan approval program which are the subject of this rulemaking action and has determined that they meet all applicable federal requirements for approval.

B. Approval of Pennsylvania's General Plan Approval and General FESOP Programs Under Section 112(l)

On May 18, 1995, PADEP requested approval of Pennsylvania's general FESOP and general plan approval programs under Section 112 of the Act for the purpose of creating federally enforceable limitations on the potential to emit of HAPs. As described above, the Commonwealth's plan approval program regulations were initially approved by EPA and incorporated into the Pennsylvania SIP on May 31, 1972. EPA is today approving and incorporating into the SIP Pennsylvania's general operating permit and general plan approval program regulations submitted on May 18, 1995.

EPA approval of the Commonwealth's general plan approval and general FESOP programs under Section 112(l) of the Act is necessary to extend Pennsylvania's authority under Section 110 of the Act to include authority to create federally enforceable limits on the potential to emit of HAPs. EPA's approval of Pennsylvania's general FESOP and plan approval programs pursuant to Section 110 of the Act provides a mechanism only for controlling criteria air pollutants which does not extend to HAPs. Only Section 112 of the Act provides the underlying authority for States to limit potential to emit of HAPs in federally enforceable general State operating permits and general construction permits. This necessitates EPA approval of the

Pennsylvania general operating permit and general plan approval programs pursuant to Section 112(l) of the Act.

The criteria used by EPA for the original SIP approval of Pennsylvania's plan approval program are located in 40 CFR 51.160-164. EPA believes that the PADEP's existing plan approval program under Subchapter B meets the requirements of 40 CFR 51.160 through 51.164.

EPA has determined that the five approval criteria for approving FESOP programs into the SIP, as specified in the June 28, 1989 Federal Register notice referenced above, are also appropriate for evaluating and approving the programs under Section 112(l). The June 28, 1989 notice does not address HAPs because it was written prior to the 1990 amendments to Section 112 of the Act. Hence, the following five criteria are applicable to FESOP approvals under Section 112(l): (1) The program must be submitted to and approved by EPA; (2) the program must impose a legal obligation on the operating permit holders to comply with the terms and conditions of the permit, and permits that do not conform with the June 28, 1989 criteria shall be deemed not federally enforceable; (3) the program must contain terms and conditions that are at least as stringent as any requirements contained in the SIP or enforceable under the SIP or any other Section 112 or other Clean Air Act standard or requirement; (4) permits issued under the program must contain conditions that are permanent, quantifiable, and enforceable as a practical matter; and (5) permits issued under the program must be subject to public participation. Please refer to the Technical Support Document for a thorough analysis of how Pennsylvania's general operating permits program satisfies each of the five approval criteria. Since the State's general operating permits program meets the five program approval criteria for both criteria and hazardous air pollutants, the program may be used to limit the potential to emit of both criteria and hazardous air pollutants.

In addition to meeting the criteria discussed above, Pennsylvania's general plan approval and general operating permits programs for limiting potential to emit of HAPs must meet the statutory criteria for approval under Section 112(l)(5) of the Act. This section allows EPA to approve a program only if it: (1) contains adequate authority to assure compliance with any Section 112 standard or requirement; (2) provides for adequate resources; (3) provides for an expeditious schedule for assuring compliance with Section 112

requirements; and (4) is otherwise likely to satisfy the objectives of the Act.

The EPA plans to codify the approval criteria for programs limiting the potential to emit of HAPs through amendments to Subpart E of 40 CFR part 63, the regulations promulgated to implement section 112(l) of the Act. (See 58 FR. 62262, November 26, 1993). The EPA currently anticipates that these criteria, as they apply to FESOP programs, will mirror those set forth in the June 28, 1989 notice, with the addition that the State's authority must extend to HAPs instead of or in addition to VOC's and PM₁₀. The EPA currently anticipates that FESOP programs that are approved pursuant to Section 112(l) prior to the planned Subpart E revisions will have had to meet these criteria, and hence will not be subject to any further approval action.

The EPA believes it has the authority under section 112(l) to approve programs to limit potential to emit of HAPs directly under section 112(l) prior to this revision to Subpart E. Section 112(l)(5) requires the EPA to disapprove programs that are inconsistent with guidance required to be issued under section 112(l)(2). This might be read to suggest that the "guidance" referred to in section 112(l)(2) was intended to be a binding rule. Even under this interpretation, the EPA does not believe that section 112(l) requires this rulemaking to be comprehensive. That is, it need not address every possible instance of approval under section 112(l). The EPA has already issued regulations under section 112(l) that would satisfy any section 112(l)(2) requirement for rulemaking. Given the severe timing problems posed by impending deadlines set forth in "maximum achievable control technology" (MACT) emission standards under section 112 and for submittal of Title V permit applications, the EPA believes it is reasonable to read section 112(l) to allow for approval of programs to limit potential to emit prior to promulgation of a rule specifically addressing this issue. The EPA is therefore approving Pennsylvania's general FESOP and general plan approval programs now so that Pennsylvania may begin to issue federally enforceable general operating permits and general plan approvals limiting potential to emit as soon as possible. This will allow Pennsylvania to immediately begin exempting sources from Title V requirements where this is possible and appropriate.

The EPA is approving Pennsylvania's general FESOP and general plan approval programs pursuant to Section 112(l) of the Act because the programs

meet applicable approval criteria specified in the June 28, 1989 Federal Register document and in Section 112(l)(5) of the Act. Regarding the statutory criteria of Section 112(l)(5) of the Act referred to above, the EPA believes Pennsylvania's general FESOP and general plan approval programs contain adequate authority to assure compliance with Section 112 requirements since neither program provides for waiving any Section 112 requirement(s). Sources would still be required to meet Section 112 requirements applicable to non-major sources. Regarding adequate resources, Pennsylvania has included in its general FESOP and general plan approval programs provisions for collecting fees from sources making application for either a general plan approval, a general operating permit, or both. Furthermore, EPA believes that Pennsylvania's general FESOP and general plan approval programs provide for an expeditious schedule for assuring compliance because they allow a source to establish a voluntary limit on potential to emit and avoid being subject to a federal Clean Air Act requirement applicable on a particular date. Nothing in Pennsylvania's general plan approval or general operating permit programs would allow a source to avoid or delay compliance with a federal requirement if it fails to obtain the appropriate federally enforceable limit by the relevant deadline. Finally, Pennsylvania's general FESOP and general plan approval programs are consistent with the objectives of the Section 112 program because their purpose is to enable sources to obtain federally enforceable limits on potential to emit to avoid major source classification under Section 112. The EPA believes that this purpose is consistent with the overall intent of Section 112.

EPA has concluded that the general operating permit and general plan approval programs submitted by Pennsylvania meet the requirements of EPA's June 28, 1989 notice and the statutory requirements under section 112(l) of the Act and is therefore approving the programs. For more detailed information on the analysis of the State's submission, please refer to the technical support document (TSD) included in the docket at the address noted above.

EPA is approving this SIP revision without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. However, in a separate document in this Federal Register publication, EPA is proposing to

approve the SIP revision should adverse or critical comments be filed. This action will be effective September 30, 1996 unless, by August 29, 1996, adverse or critical comments are received.

If 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. 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 September 30, 1996.

Final Action

EPA is approving as revisions to the Pennsylvania SIP changes to Chapter 127 of the Pennsylvania Code which were submitted on May 18, 1995. The submittal revises Pennsylvania's existing plan approval and FESOP programs by adding a comprehensive general FESOP and general plan approval program under Chapter 127, Subchapter H of the Commonwealth's air quality regulations.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any State implementation plan. Each request for revision to the State implementation plan 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 impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

SIP approvals under section 110 and subchapter I, part D of the Clean Air 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 Administrator certifies 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 Clean Air Act, preparation of a flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The Clean Air Act forbids EPA to base its actions concerning SIPs on such grounds. *Union Electric Co. v. U.S. EPA*, 427 U.S. 246, 255–66 (1976); 42 U.S.C. 7410(a)(2).

Under Section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, 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, 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 EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the approval action promulgated does not include a Federal mandate that may result in estimated costs of \$100 million or more to either 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.

Under section 801(a)(1)(A) of the Administrative Procedures Act (APA) as amended by the Small Business Regulatory Enforcement Fairness Act of 1996, EPA submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives and the Comptroller General of the General Accounting Office prior to publication of the rule in today's Federal Register. This rule is not a "major rule" as defined by section 804(2) of the APA as amended.

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.

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by September 30, 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, Carbon monoxide, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides.

Dated: June 26, 1996.

Stanley L. Laskowski,

Acting Regional Administrator, Region III.

40 CFR part 52 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 NN—Pennsylvania

2. Section 52.2020 is amended by adding paragraph (c)(111) to read as follows:

§ 52.2020 Identification of plan.

* * * * *

(c) * * *

(111) Revisions to the Operating Permit and Plan Approval Regulations to add Subchapter H, "General Plan Approvals and Operating Permits", submitted on May 18, 1995 by the Pennsylvania Department of Environmental Resources:

(i) Incorporation by reference.

(A) Letter of May 15, 1995 from the Pennsylvania Department of Environmental Resources transmitting Pennsylvania's general plan approval and general operating permit programs.

(B) The following amendments to Title 25, Chapter 127, effective on November 26, 1994: § 127.601, 127.611, 127.612, 127.621, and 127.622.

(ii) Additional material.

(A) Remainder of Pennsylvania's May 18, 1995 submittal.

3. Section 52.2061 is amended by adding paragraph (b) to read as follows:

§ 52.2061 Operating permits.

* * * * *

(b) Emission limitations and related provisions which are established in Pennsylvania general operating permits as federally enforceable conditions shall be enforceable by EPA. EPA reserves the right to deem general permit conditions not federally enforceable. Such a determination will be made according to appropriate procedures, and be based upon the general permit, general permit approval procedures, or general permit requirements which do not conform with the general operating permit program requirements or the requirements of EPA's underlying regulations.

4. Section 52.2062 is amended by adding paragraph (b) to read as follows:

§ 52.2062 Plan approvals.

* * * * *

(b) Emission limitations and related provisions which are established in Pennsylvania general plan approvals as federally enforceable conditions shall be enforceable by EPA. EPA reserves the right to deem general plan approval conditions not federally enforceable. Such a determination will be made according to appropriate procedures, and be based upon the general plan approval, the relevant approval procedures, or plan requirements which do not conform with the general plan approval program requirements or the requirements of EPA's underlying regulations.

[FR Doc. 96–19204 Filed 7–29–96; 8:45 am]

BILLING CODE 6560–50–P

40 CFR Parts 52 and 70

[PA065–4025; AD–FRL–5535–3]

Clean Air Act Final Full Approval Of Operating Permits Program; Final Approval of Operating Permit and Plan Approval Programs Under Section 112(l); Final Approval of State Implementation Plan Revision for the Issuance of Federally Enforceable State Plan Approvals and Operating Permits Under Section 110; Commonwealth of Pennsylvania

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final full approval of Title V Operating Permit Program and final approval of State Operating Permit and Plan Approval Programs.

SUMMARY: The EPA is promulgating full approval of the Operating Permits Program submitted by the Commonwealth of Pennsylvania for the purpose of complying with Federal