

Transmittal letter for issue	Dated	FEDERAL REGISTER publication
46	July 1, 1993	61 FR [IN- SERT PAGE NUMBER]
47	April 10, 1994	61 FR [IN- SERT PAGE NUMBER]
48	January 1, 1995.	61 FR [IN- SERT PAGE NUMBER]
49	September 1, 1995.	61 FR [IN- SERT PAGE NUMBER]

Stanley F. Mires,
Chief Counsel, Legislative.

[FR Doc. 96-32280 Filed 12-19-96; 8:45 am]

BILLING CODE 7710-12-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[PA 083-4036a, PA 083-4037a, PA 069-
4035a; FRL-5659-7]

Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Approval of Source- Specific VOC and NO_x RACT Determinations, and 1990 Baseyear Emissions for One Source

AGENCY: Environmental Protection
Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is approving State Implementation Plan (SIP) revisions submitted by the Commonwealth of Pennsylvania. These revisions establish and require reasonably available control technology (RACT) for three facilities, and make corrections to the 1990 baseyear volatile organic compounds (VOC) and nitrogen oxides (NO_x) emissions for one of the facilities. This action affects a total of three companies. The intended effect of this action is to approve three source-specific RACT determinations, and the 1990 emissions inventory figures for three emissions units at one facility. This action is being taken under section 110 of the Clean Air Act.

DATES: This final rule is effective February 21, 1997 unless within January 21, 1997, adverse or critical comments are received. If the effective date is delayed, timely notice will be published in the Federal Register.

ADDRESSES: Comments may be mailed to David L. Arnold, Chief, Ozone and Mobile Sources Section, Mailcode 3AT21, 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, D.C. 20460; and Pennsylvania Department of Environmental Protection, Bureau of Air Quality, P.O. Box 8468, 400 Market Street, Harrisburg, Pennsylvania 17105.

FOR FURTHER INFORMATION CONTACT: Janice Bolden, (215) 566-2185, or Carolyn Donahue, (215) 566-2095, at the EPA Region III office, or via E-mail at bolden-janice@epamail.epa.gov or donahue-carolyn@epamail.epa.gov. While information may be requested via E-mail, comments must be submitted in writing to the above Region III address.

SUPPLEMENTARY INFORMATION: On August 1, 1995, December 8, 1995, June 10, 1996, and September 13, 1996, the Commonwealth of Pennsylvania submitted formal revisions to its State Implementation Plan (SIP), consisting of plan approvals and operating permits for many facilities. The SIP revisions that are the subject of this rulemaking consist of RACT determinations for only three of those facilities and includes one operating permit and one plan approval. These three individual facilities emit volatile organic compounds (VOCs) and/or nitrogen oxides (NO_x) and are located in Mercer and Blair Counties in Pennsylvania. These three facilities are (1) Caparo Steel Company (Mercer Co.)—steel mill, (2) Sharon Steel Company (Mercer Co.)—steel mill, and (3) Pennsylvania Electric Company (Penelec)—Williamsburg Station (Blair Co.)—utility. The remaining plan approvals and operating permits in the August 1, 1995, December 8, 1995, June 10, 1996, and September 13, 1996, submittals will be the subject of a separate rulemaking notice.

Background

Pursuant to sections 182(b)(2) and 182(f) of the Clean Air Act (CAA), Pennsylvania is required to implement RACT for all major VOC and NO_x sources by no later than May 31, 1995. The major source size is determined by its location, the ozone nonattainment area and whether it is located in the

ozone transport region (OTR), which is established by the CAA. The Pennsylvania portion of the Philadelphia ozone nonattainment area consists of Bucks, Chester, Delaware, Montgomery, and Philadelphia Counties and is classified as severe. The remaining counties in Pennsylvania are classified as either moderate or marginal nonattainment areas or are designated attainment for ozone. However, under section 184 of the CAA, at a minimum, moderate ozone nonattainment area requirements (including RACT as specified in sections 182(b)(2) and 182(f)) apply throughout the OTR. Therefore, RACT is applicable statewide in Pennsylvania. The August 1, 1995, December 8, 1995, June 10, 1996, and September 13, 1996, Pennsylvania submittals that are the subject of this notice are meant to satisfy the RACT requirements for three facilities in Pennsylvania.

Summary of SIP Revisions

This rulemaking approves the operating permit issued to Caparo Steel Company by the Pennsylvania Department of Environmental Protection (PADEP) on November 3, 1995, the plan approval issued to Sharon Steel Company by PADEP on November 3, 1995, and the RACT determination for Pennsylvania Electric Company (Penelec)—Williamsburg Station. In addition, on June 10, 1996, Pennsylvania submitted 1990 baseyear emission inventory figures for Sharon Steel Company for EPA approval into the Pennsylvania SIP. Therefore, this rulemaking also establishes the 1990 baseyear emissions for emissions units at Sharon Steel. The details of the RACT requirements for the source-specific operating permit for Caparo Steel and the plan approval for Sharon Steel can be found in the docket and accompanying Technical Support Document and will not be reiterated in this document.

Caparo Steel RACT

EPA is approving the operating permit (OP 43-285) for Caparo Steel Company, located in Mercer County, which is part of the Youngstown-Warren-Sharon Ohio/Pennsylvania ozone marginal nonattainment area. This operating permit imposes RACT on Caparo Steel and requires compliance by May 31, 1995. Caparo Steel Company is a steel mill and is a major source of NO_x and VOC emissions. In general, the RACT requirements in the permit include operation and maintenance in accordance with manufacturer specifications and good air pollution control practices to minimize NO_x and

VOC emissions in addition to VOC and NO_x emission rate limitations and VOC and NO_x annual emission caps.

In addition to imposing RACT on the currently operating units at Caparo Steel, this revision also establishes RACT for four, now shutdown, emission units at Caparo Steel Company. These four units, which are not addressed in operating permit OP 43-285, are the package boilers, and BW boilers 1 to 3. All of these units ceased operation and were retired on November 30, 1992. EPA is also using this document to recognize the 868.6 tons of NO_x per year and 1.8 tons of VOC per year emission reduction credits created by the shutdown of these four emissions units at Caparo Steel.

Sharon Steel RACT/Baseyear Inventory

EPA is approving the plan approval (PA 43-017) for Sharon Steel Company, which is adjacent to the Caparo Steel facility and is located in Mercer County. This plan approval imposes RACT on Sharon Steel and requires compliance by May 31, 1995. Sharon Steel Company is a steel mill and is a major source of NO_x and VOC emissions. In general, the RACT requirements in the plan approval include operation and maintenance in accordance with manufacturer specifications and good air pollution control practices to minimize NO_x and VOC emissions in addition to VOC and NO_x emission rate limitations and VOC and NO_x annual emission caps.

This revision also establishes RACT for three, now shutdown, emission units at Sharon Steel Company. These three units, not addressed in plan approval PA 43-017, are the Blast Furnace Operations (flame suppression, heaters and torpedo cars, flare stack, tuyeres), Basic Oxygen Furnace Shop (scrap preheating, ladle preheating and heaters), and Blast Furnace Casthouse. All of these emission units ceased operation and were retired on November 30, 1992. Chemical usage units, once maintained by Sharon Steel Company, remain in use and are now operated by Caparo Steel Company. These chemical usage units are included in operating permit OP 43-285.

As previously stated, RACT for the Blast Furnace Operations, Basic Oxygen Furnace Shop, and Blast Furnace Casthouse is determined to be good air pollution control practices. The 1990 baseyear VOC and NO_x emissions for these three emission units are also being approved. The 1990 VOC and NO_x emissions from the Blast Furnace Operations (flame suppression, heaters and torpedo cars, flare stack, tuyeres) are 0.4 tons per year (TPY) and 49.3

TPY, respectively. The 1990 VOC and NO_x emissions from the Basic Oxygen Furnace Shop (scrap preheating, ladle preheating and heaters) are 1.4 TPY and 39.6 TPY, respectively. The 1990 VOC and NO_x emissions from the Blast Furnace Casthouse are 205.4 TPY and 11.0 TPY, respectively. EPA is also using this document to recognize the 469.6 tons of NO_x per year and 215.7 tons of VOC per year emission reduction credits created by the shutdown of the Sharon Steel facility.

Pennsylvania Electric Company (Penelec)—Williamsburg RACT

This revision establishes RACT for three, now shutdown, emission units at Pennsylvania Electric Company (Penelec)—Williamsburg Station, located in Blair County. These units are the unit #11 boiler, auxiliary boiler, and all fugitive VOC sources. All of these emission units ceased operation and were retired on January 18, 1991. In general, the RACT requirements include operation and maintenance in accordance with manufacturer specifications and good air pollution control practices to minimize NO_x and VOC emissions in addition to VOC and NO_x emission rate limitations and VOC and NO_x annual emission caps. EPA is also using this document to recognize the 869 tons of NO_x per year and 3.37 tons of VOC per year emission reduction credits created by the shutdown of the Penelec—Williamsburg facility.

The specific emission limitations and other RACT requirements for these facilities are summarized in the accompanying Technical Support Document, which is available from the EPA Region III office, listed in the **ADDRESSES** section of this notice. The source-specific RACT determinations that are being approved into the Pennsylvania SIP are those that were submitted by PADEP for Caparo Steel, Sharon Steel, and Penelec—Williamsburg on August 1, 1995, December 8, 1995, June 10, 1996, and September 13, 1996.

EPA is approving these SIP revisions without prior proposal because the Agency views these as noncontroversial amendments and anticipates no adverse comments. However, in a separate document in this Federal Register publication, EPA is proposing to approve the SIP revisions should adverse or critical comments be filed. This action will be effective February 21, 1997 unless, within 30 days of publication, 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 February 21, 1997.

Final Action

EPA is approving the RACT determinations for Caparo Steel Company, Sharon Steel Company, and Pennsylvania Electric Company (Penelec)—Williamsburg Station. EPA is approving an operating permit for Caparo Steel and a plan approval for Sharon Steel, and incorporating them by reference in the Pennsylvania SIP. At 40 CFR 52.2037, EPA is also approving and codifying the RACT determination for Penelec—Williamsburg, and those RACT requirements for Caparo Steel and Sharon Steel not covered by the operating permit and plan approval being approved and incorporated by reference into the Pennsylvania SIP at 40 CFR 52.2020. At 40 CFR 52.2036, EPA is approving 1990 baseyear emissions for three emission units at Sharon Steel.

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.

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.

The EPA's actions under section 502 of the Act do not create any new requirements, but simply address operating permits programs submitted to satisfy the requirements of 40 CFR Part 70. Because this action does not impose any new requirements, it does not have a significant impact on a substantial number of small entities.

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 CAA, 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 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 proposed/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) as added 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).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action, pertaining to the VOC and NO_x RACT determination for Caparo Steel Company, Sharon Steel Company, and Pennsylvania Electric Company (Penelec)—Williamsburg Station, must be filed in the United States Court of Appeals for the appropriate circuit by February 21, 1997. 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, Incorporation by reference, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements.

Dated: November 22, 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)(113) to read as follows:

§ 52.2020 Identification of plan.

* * * * *

(c) * * *

(113) Revisions to the Pennsylvania Regulations, Chapter 129.93 pertaining to VOC and NO_x RACT, submitted on August 1, 1995, December 8, 1995, June 10, 1996, and September 13, 1996, by the Pennsylvania Department of Environmental Resources (now known as the Pennsylvania Department of Environmental Protection):

(i) Incorporation by reference.

(A) Four letters, dated August 1, 1995, December 8, 1995, June 10, 1996, and

September 13, 1996, from the Pennsylvania Department of Environmental Resources (now known as the Pennsylvania Department of Environmental Protection) transmitting source-specific VOC and/or NO_x RACT determinations for Caparo Steel Company (Mercer Co.)—steel mill, Sharon Steel Company (Mercer Co.)—steel mill, and Pennsylvania Electric Company (Penelec)—Williamsburg Station (Blair Co.)—utility.

(B) Plan approval (PA) and Operating permit (OP):

(1) Caparo Steel Company—OP 43–285, effective November 3, 1995, except condition #9 pertaining to non-NO_x and non-VOC pollutants.

(2) Sharon Steel Company—PA 43–017, effective November 3, 1995, except condition #9 pertaining to non-NO_x and non-VOC pollutants.

(ii) Additional material.

(A) Remainder of August 1, 1995, December 8, 1995, June 10, 1996, and September 13, 1996, State submittals pertaining to Caparo Steel Company, Sharon Steel Company, and Pennsylvania Electric Company (Penelec)—Williamsburg Station.

3. Section 52.2037 is amended by adding paragraphs (e), (f), and (g) to read as follows:

§ 52.2037 Control Strategy: Carbon monoxide and ozone (hydrocarbons).

* * * * *

(e) Sharon Steel Company—VOC and NO_x RACT determination for three emission units at Sharon Steel Company, not covered by plan approval PA 43–017: Blast Furnace Operations (flame suppression, heaters and torpedo cars, tuyeres), Basic Oxygen Furnace Shop (scrap preheating, ladle preheating and heaters), Blast Furnace Casthouse. NO_x RACT for the Blast Furnace Operations is determined to be good air pollution control practices such that NO_x emissions do not exceed: 100 pounds of NO_x per million cubic feet (lb NO_x/MMft³) of natural gas and 10.69 tons of NO_x per year (TPY) for flame suppression, heaters, and torpedo cars; and 140 lb NO_x/MMft³ of natural gas and 0.6 TPY for tuyeres. VOC RACT for the Blast Furnace Operations is determined to be good air pollution control practices such that VOC emissions do not exceed: 3.8 lb VOC/MMft³ of natural gas and 0.41 TPY for flame suppression, heaters and torpedo cars; and 2.8 lb VOC/MMft³ of natural gas and 0.01 TPY for tuyeres. NO_x RACT for the Basic Oxygen Furnace Shop is determined to be good air pollution control practices such that NO_x emissions do not exceed: 100 lb NO_x/MMft³ of natural gas and 1.1 TPY

for scrap preheating; and 140 lb NO_x/MMft³ of natural gas and 10.8 TPY for ladle preheating and heaters. VOC RACT for the Basic Oxygen Furnace Shop is determined to be good air pollution control practices such that VOC emissions do not exceed: 3.8 lb VOC/MMft³ of natural gas and 0.04 TPY for scrap preheating; and 2.8 lb VOC/MMft³ of natural gas and 0.22 TPY for ladle preheating and heaters. NO_x RACT for the Blast Furnace Casthouse is determined to be good air pollution control practices such that NO_x emissions do not exceed 0.03 lb NO_x/ton of steel processed and 11.0 TPY.

(f) Pennsylvania Electric Company—Williamsburg Station—VOC and NO_x RACT determination for three emission units at Pennsylvania Electric Company (Penelec)—Williamsburg Station: unit #11 boiler, auxiliary boiler, fugitive VOC sources. NO_x and VOC RACT for the unit #11 boiler is determined to be good air pollution control practices such that emissions limits shall be 21.7 pounds of NO_x per million British thermal units (lb/MMBtu) and 0.1459 lb/MMBtu of No. 2 oil fired with annual fuel usage records, and no more than 867 tons per year (TPY) of NO_x and 3 TPY of VOC. NO_x and VOC RACT for the auxiliary boiler is determined to be the requirements of 25 Pa Code 129.93 (c)(1), pertaining to units with individual rated gross heat inputs less than 20 million British thermal units per hour (MMBtu/hr) of operation maintenance and operation in accordance with manufacturer's specifications, and the units are operated using good air pollution control practices.

(g) Caparo Steel Company—VOC and NO_x RACT determination for four emission units at Caparo Steel Company, not covered by operating permit OP 43-285: Package boilers, BW boiler #1, BW boiler #2, and BW boiler #3. NO_x RACT for the package boilers is determined to be good air pollution control practices such that NO_x emissions do not exceed 550 pounds of NO_x per million cubic feet (lb NO_x/MMft³) of natural gas and 529.82 tons of NO_x per year (TPY). VOC RACT for the package boilers is determined to be good air pollution control practices such that VOC emissions do not exceed 1.4 lb VOC/MMft³ of natural gas and 1.35 TPY. NO_x RACT for each of the BW boilers is determined to be good air pollution control practices such that NO_x emissions do not exceed 23 lb NO_x/MMft³ of BFG and 80.1 TPY.

4. Section 52.2036 is amended by adding paragraph (f) to read as follows:

§ 52.2036 1990 Baseyear emission inventory.

* * * * *

(f) Sharon Steel Company 1990 VOC and NO_x emissions for three emission units (Blast Furnace Operations, Basic Oxygen Furnace Shop, Blast Furnace Casthouse), submitted June 10, 1996, are approved. Sharon Steel Company is located in Mercer County, Pennsylvania, which is in a marginal ozone nonattainment area. The 1990 VOC and NO_x emissions from the Blast Furnace Operations (flame suppression, heaters and torpedo cars, flare stack, tuyeres) are 0.4 TPY and 49.3 TPY, respectively. The 1990 VOC and NO_x emissions from the Basic Oxygen Furnace Shop (scrap preheating, ladle preheating and heaters) are 1.4 TPY and 39.6 TPY, respectively. The 1990 VOC and NO_x emissions from the Blast Furnace Casthouse are 205.4 TPY and 11.0 TPY, respectively.

[FR Doc. 96-32369 Filed 12-19-96; 8:45 am]

BILLING CODE 6560-50-P

40 CFR Part 52

[PA047-4034; FRL-5654-7]

Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania, Approval of Lead Implementation Plan for an Area in Northeast Philadelphia, PA

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is approving a State Implementation Plan (SIP) revision submitted by the State of Pennsylvania. This revision establishes and requires the adherence to specified emission limits and operating practices by three sources in northeast Philadelphia. The intended effect of this action is to approve a lead plan for a portion of Philadelphia, Pennsylvania. This action is being taken under section 110 of the Clean Air Act.

EFFECTIVE DATE: This final rule is effective on January 21, 1997.

ADDRESSES: 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; Pennsylvania Department of Environmental

Protection, Bureau of Air Quality, P.O. Box 8468, 400 Market Street, Harrisburg, Pennsylvania 17105; Department of Public Health, Air Management Services, 321 University Avenue, Philadelphia, Pennsylvania 19104.

FOR FURTHER INFORMATION CONTACT: Denis Lohman, (215) 566-2192, E-Mail address:

Lohman.Denny@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: On July 30, 1996 (61 FR 39614), EPA published a notice of proposed rulemaking (NPR) for the State of Pennsylvania. The NPR proposed approval of a lead SIP for a portion of northeast Philadelphia, Pennsylvania. The formal SIP revision request was submitted by Pennsylvania on September 30, 1994. Other specific requirements of the plan and the rationale for EPA's proposed action are explained in the NPR and will not be restated here. No public comments were received on the NPR.

Final Action

EPA approves the Philadelphia portion of the Pennsylvania lead implementation plan described in more detail in the NPR published on July 30, 1996 (61 FR 39614) as a revision to the Pennsylvania SIP. 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.

III. Administrative Requirements

A. Executive Order 12866

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.

B. Regulatory Flexibility Act

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