

footnotes 8 and 12 following the entry “7/16” to appropriate footnote size.

9. Section 7.98(q)(7) Table F-1, footnote 12, on page 55521, is corrected by changing “f” to read “If” in the first word of the sentence.

§ 7.100 [Corrected]

10. Section 7.100(a)(3)(iii)(B) and (C) on page 55523, column two, is corrected by deleting the words “rated speed” from the first sentence of each paragraph.

PART 75—[AMENDED]

11. The authority citation for part 75 continues to read as follows:

Authority: 30 U.S.C. 811.

12. The preamble discussion of § 75.1906(l), on page 55455, is corrected by deleting the last sentence which begins at the bottom of column two and ends at the top of column three.

13. The preamble discussion of § 75.1909(c)(5), on page 55468, is corrected by removing the words “without the engine operating” in the last line of column one and the first line of column two, and adding in their place the words “without shutting down the engine”.

§ 75.325 [Corrected]

14. Section 75.325(k), on page 55527, column two, is corrected by changing the effective date in the first sentence from “November 25, 1977” to read “November 25, 1997.”

§ 75.1909 [Corrected]

15. Section 75.1909(c)(5) on page 55531, column two, is corrected by replacing the words “without the engine operating” in lines three and four with the words “without shutting down the engine”.

[FR Doc. 97-16878 Filed 6-26-97; 8:45 am]

BILLING CODE 4510-43-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR PART 52

[AS-AZ-CA-HW-NV-000-0002; FRL-5847-8]

Correction of Implementation Plans; American Samoa, Arizona, California, Hawaii, and Nevada State Implementation Plans

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is finalizing the promulgation of corrections to the

American Samoa State Implementation Plan (SIP), the Arizona SIP, the California SIP, the Hawaii SIP, and the Nevada SIP. The proposed rule was published in the **Federal Register** on July 25, 1996. These corrections concern the deletion from the SIPs of a variety of administrative provisions concerning variances, hearing board procedures, and fees. The intended effect of promulgating these corrections to the SIPs is to delete the above referenced rules and make the SIPs consistent with the requirements of the Clean Air Act, as amended in 1990 (CAA or “the Act”), regarding EPA action on SIP submittals and SIPs for national primary and secondary ambient air quality standards.

EFFECTIVE DATE: This rule is effective on July 28, 1997.

ADDRESSES: Copies of the rules being deleted are available for public inspection at EPA’s Region IX office during normal business hours. Copies of the rules are also available for inspection at the locations listed in **SUPPLEMENTARY INFORMATION** under “Public inspection”.

FOR FURTHER INFORMATION CONTACT: Julie A. Rose, Rulemaking Office (AIR-4), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105, Telephone: (415) 744-1184.

SUPPLEMENTARY INFORMATION:

I. Public Inspection

Arizona Department of Environmental Quality, P.O. Box 600, Phoenix, CA 85001-0600,

Coconino County Air Pollution Control District, 1515 East Cedar Avenue, Flagstaff, AZ 86004

Maricopa County, Environmental Services Department, 2406 S. 24th Street, Suite E-214, Phoenix, AZ 85034

Pima County Department of Environmental Quality, 130 West Congress Street, 3rd Floor, Tucson, AZ 85701-1317

Pinal County Air Quality Control District, P.O. Box 987, Florence, AZ 85232

California Air Resources Board Stationary Source Division, Rule Evaluation Section, 2020 “L” Street, Sacramento, CA 95814

Amador County Air Pollution Control District, 500 Argonaut Lane, Jackson, CA 95642

Bay Area Air Quality Management District, 939 Ellis Street, San Francisco, CA 94109

Butte County Air Quality Management District, 2525 Dominic Drive, Chico, CA 95928

Calaveras County Air Pollution Control District, 891 Mountain Ranch Road, San Andreas, CA 95249-9709

Colusa County Air Pollution Control District, 100 Sunrise Blvd., Suite F, Colusa, CA 95932

Glenn County Air Pollution Control District, P.O. Box 351, Willows, CA 95988

Great Basin Unified Air Pollution Control District, 157 Short Street, Suite 6, Bishop, CA 93514

Imperial County Air Pollution Control District, 150 South Ninth Street, El Centro, CA 92243-2801

Kern County (Southeast Desert) Air Pollution Control District, 2700 M. Street, Suite 290, Bakersfield, CA 93301

Lake County Air Quality Management District, 883 Lakeport Blvd., Lakeport, CA 95453

Lassen County Air Pollution Control District, 175 Russell Avenue, Susanville, CA 96130

Mariposa County Air Pollution Control District, P.O. Box 2039, Mariposa, CA 95338

Mendocino County Air Quality Management District, 306 E. Gobbi Street, Ukiah, CA 95482

Modoc County Air Pollution Control District, 202 W. Fourth Street, Alturas, CA 96101

Mojave Desert Air Quality Management District, 15428 Civic Drive, Suite 200, Victorville, CA 92392

Monterey Bay Unified Air Pollution Control District, 24580 Silver Cloud Ct., Monterey, CA 93940

Northern Sierra Air Quality Management District, P.O. Box 2509, Grass Valley, CA 95945

North Coast Unified Air Quality Management District, 2389 Myrtle Avenue, Eureka, CA 95501

Northern Sonoma County Air Pollution Control District, 109 North Street, Healdsburg, CA 95448

Placer County Air Pollution Control District, 11464 B Avenue, Auburn, CA 95603

Sacramento Metropolitan Air Quality Management District, 8411 Jackson Road, Sacramento, CA 95826

San Diego County Air Pollution Control District, 9150 Chesapeake Drive, San Diego, CA 92123-1096

San Joaquin Valley Unified Air Pollution Control District (Formerly: Fresno County APCD, Kern County APCD, Kings County APCD, Madera County APCD, Merced County APCD, San Joaquin County APCD, Stanislaus County APCD, and Tulare County APCD), 1999 Tuolumne Street, Suite 200, Fresno, CA 93721

San Luis Obispo Air Pollution Control District, 2156 Sierra Way, Suite B, San Luis Obispo, CA 93401

Santa Barbara County Air Pollution Control District, 26 Castilian Drive, B-23, Goleta, CA 93117

Shasta County Air Quality Management District, 1640 West Street, Redding, CA 96001

South Coast Air Quality Management District, 21865 E. Copley Drive, Diamond Bar, CA 91765

Sutter County Air Pollution Control District (Now Feather River Air Quality Management District), 938 14th Street, Marysville, CA 95901

Tehama County Air Pollution Control District, 1750 Walnut Street, Red Bluff, CA 96080

Tuolumne County Air Pollution Control District, 2 South Green Street, Sonora, CA 95370

Ventura County Air Pollution Control District, 669 County Square Drive, Ventura, CA 93003

Yolo-Solano Air Quality Management District, 1947 Galileo Court, Suite 103, Davis, CA 95616

Hawaii Department of Health, Environmental Management Division, P.O. Box 3378, Honolulu, HI 96801

American Samoa Environmental Quality Commission, Governor's Office, Pago Pago, American Samoa 96799

Nevada Division of Environmental Protection, 333 West Nye Lane, Carson City, NV 89710

Clark County Air Pollution Control Division, P.O. Box 4426, Las Vegas, NV 89127

II. Applicability

The rules being deleted from the American Samoa, Arizona, California, Hawaii, and Nevada SIPs include administrative provisions concerning variances, hearing board procedures, and fees. These rules were submitted by the respective state agencies to EPA prior to the Clean Air Act amendments of 1990. The rules and statutes being deleted from each SIP were listed in the proposed rule published in the **Federal Register** on July 25, 1996 (61 FR 38664).

III. Background

On July 25, 1996 in 61 FR 38664, EPA proposed to delete various rules from the American Samoa, Arizona, California, Hawaii, and Nevada SIPs. EPA has determined that the rules to be deleted from the above-referenced SIPs were erroneously incorporated into the SIPs by EPA. In addition, the variance provisions were rendered without legal effect by amendments to the Clean Air Act enacted by Congress in 1977. In addition, the presence of these

provisions in the SIPs is potentially confusing, and thus, harmful to the regulated community, the states and EPA.

IV. Response to Public Comments

A 30-day public comment period was provided in 61 FR 38664. EPA received three comments, one from the Arizona Department of Environmental Quality (ADEQ), the second from the Pinal County Air Quality Control District (PCAQCD) in Arizona, and the third from the Mojave Desert Air Quality Management District (MDAQMD) in California.

Comment: The ADEQ commented that they agreed that improvements must be made to Arizona's SIP, but they opposed the proposed action because EPA failed to coordinate with the State or the local air pollution control agencies in Arizona. The ADEQ also objected to the piecemeal repeal of portions of the SIP.

Response: EPA has evaluated the comment and agrees that it was an oversight not to communicate this action to each State and local agency prior to its being published in the **Federal Register**. While EPA has no legal obligation to do so, such communication is appropriate to maintain good working relationships between the State and Federal agencies. EPA has since contacted the ADEQ and apologized for not communicating its intention to update the SIP and explained that EPA is in the process of evaluating other types of updates as well. As a result, EPA is proceeding with the deletion of these provisions from the Arizona SIP.

Comment: The PCAQCD commented that they endorse EPA's proposed repeal of parts of the Arizona SIP. In a previous letter to EPA, the PCAQCD expressly asked that the subject provisions be deleted as SIP elements.

Response: EPA agrees with this comment and is proceeding with the deletion of these provisions from the Arizona SIP.

Comment: The MDAQMD commented that they support EPA's action to delete rules relating to variances from the SIP. They noted some errors in the titles and numbers of the rules proposed to be deleted. The MDAQMD requested that additional rules be deleted that were originally submitted for the South Coast Air Quality Management District (SCAQMD). At one time the SCAQMD included the Palo Verde/Blythe area of Riverside County. Since the approval of these rules into the SIP, the Palo Verde Valley/Blythe area has been added to the jurisdiction of the MDAQMD.

Response: While this comment was received after the close of the comment

period, EPA believes it includes important information that should be considered in this rulemaking. EPA agrees with the MDAQMD comment that certain rules listed in the proposal were numbered incorrectly and will delete the rules as correctly numbered by the MDAQMD. The SCAQMD rules that pertain to the Palo Verde/Blythe area of Riverside County cannot be deleted in this final action because they were not proposed for deletion in the proposed rule published on July 25, 1996. EPA will evaluate these rules and determine if they can be deleted in a future action.

V. EPA Action

EPA has reviewed the rules previously incorporated into the American Samoa, Arizona, California, Hawaii, and Nevada SIPs and has determined that the rules were approved in error. These rules include administrative provisions regarding variances, hearing board procedures, and fee provisions. These rules were listed in Table 1 in the proposed rule. Therefore, EPA is deleting the rules from these SIPs under section 110(k)(6) of the Act, which gives EPA the authority to revise existing SIPs by removing rules without additional State submission to correct an error.

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.

VI. 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 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).

C. Unfunded Mandates

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 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.

D. Submission to Congress and the General Accounting Office

Under 5 U.S.C. 801(a)(1)(A) of the Administrative Procedure 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" as defined by 804(2) of the APA as amended.

E. Petitions for Judicial 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 August 26, 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, Carbon monoxide, Hydrocarbons, Intergovernmental relations, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Volatile organic compounds.

Note: Incorporation by reference of the State Implementation Plan for the State of California was approved by the Director of the Federal Register on July 1, 1982.

Dated: June 15, 1997.

Felicia Marcus,
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 D—Arizona

2. Section 52.120 is amended by adding paragraphs (c)(3)(i), (c)(18)(i)(A), (c)(18)(iv)(A), (c)(38)(i)(C), (c)(50)(ii)(C), (c)(51)(i)(B), and (c)(52)(ii)(B) to read as follows:

§ 52.120 Identification of plan.

* * * * *

(c) * * *

(3) * * *

(i) Maricopa County Bureau of Air Pollution Control.

(A) Previously approved on September 22, 1972 and now deleted without replacement Rules 60 to 67.

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(18) * * *

(i) * * *

(A) Previously approved on November 15, 1978 and now deleted without replacement Rules 12-7-2, 12-7-3, 12-7-5, and 12-7-6.

* * * * *

(iv) * * *

(A) Previously approved on November 15, 1978 and now deleted without replacement Rules 7-1-4.1 to 7-1-4.2 and 7-1-5.1 to 7-1-5.6.

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(38) * * *

(i) * * *

(C) Previously approved on April 16, 1982 and now deleted without replacement Rules 141, 143 to 147, 702, and 711 to 714.

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(50) * * *

(ii) * * *

(C) Previously approved on June 18, 1982 and now deleted without replacement Statutes 36-781, 36-782, 36-784, 36-784.01 to 36-784.04, 36-785, 36-785.01, and 36-786 to 36-788.

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(51) * * *

(i) * * *

(B) Previously approved on April 16, 1982 and now deleted without replacement Rule 142.

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(52) * * *

(ii) * * *

(B) Previously approved on June 18, 1982 and now deleted without replacement Statutes 36-1709 to 36-1712, 36-1712.01 to 36-1712.04, 36-1713, 36-1713.01, and 36-1714 to 36-1716.

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Subpart F—California

3. Section 52.220 is amended by adding paragraphs (b)(1) through (b)(3), (c)(6)(i)(B), (c)(6)(ii) through (xiv), (c)(21)(vi)(B), (c)(21)(ix)(C), (c)(21)(xiv)(B), (c)(24)(vi)(C), (c)(24)(vii)(D), (c)(24)(ix)(C), (c)(25)(i)(E), (c)(25)(ii)(D), (c)(25)(iv)(B), (c)(26)(iv)(C), (c)(26)(vii)(B), (c)(26)(viii)(C), (c)(26)(xvii)(D), (c)(26)(xvii)(B) and (C), (c)(27)(vii)(B), (c)(28)(iv)(B), (c)(30)(x)(B), (c)(31)(i)(F), (c)(31)(xii)(B), (c)(31)(xviii)(D), (c)(32)(ii)(B), (c)(32)(iii)(E), (c)(32)(iv)(D), (c)(32)(iv)(E), (c)(35)(iii)(C), (c)(35)(v)(B), (c)(35)(vi)(C), (c)(35)(xii)(F), (c)(35)(xiii)(C), (c)(35)(xiv)(E), (c)(35)(xv)(E), (c)(35)(xvi)(C), (c)(35)(xvii)(D),

(c)(37)(iv)(D), (c)(37)(v)(C), (c)(39)(ii)(F), (c)(39)(iii)(F), (c)(39)(iv)(F), (c)(39)(vii)(C), (c)(39)(viii)(C), (c)(39)(ix)(B), (c)(39)(x)(B), (c)(41)(ii)(D), (c)(41)(ix)(C), (c)(41)(x)(B) and (C), (c)(41)(xii)(B), (c)(42)(i)(E), (c)(42)(iii)(C), (c)(42)(xiii)(D), (c)(42)(xiv)(C), (c)(44)(iv)(C), (c)(44)(v)(B), (c)(45)(iii)(B), (c)(50)(i)(B), (c)(50)(ii)(B), (c)(50)(iii)(B), (c)(50)(iv)(B), (c)(50)(v)(B), (c)(51)(i)(C), (c)(51)(iii)(B), (c)(51)(iv)(B), (c)(51)(v)(B), (c)(51)(vi)(B), (c)(51)(vii)(D), (c)(51)(viii)(D) and (E), (c)(51)(ix)(D), (c)(51)(xii)(C), (c)(51)(xiii)(B), (c)(51)(xv)(C), (c)(51)(xvi)(B), (c)(51)(xx)(B), (c)(52)(iv)(D) and (E), (c)(52)(ix)(C), (c)(52)(xi)(B), (c)(52)(xii)(B), (c)(52)(xv)(C), (c)(52)(xix)(C), (c)(54)(iii)(B), (c)(54)(iv)(D), (c)(58)(ii)(C), (c)(74)(i)(B), (c)(87)(vi)(B), (c)(88)(i)(D), (c)(89)(vi)(B), (c)(92)(ii)(D), (c)(93)(iv)(C), (c)(95)(v)(C), (c)(96)(iii)(B), (c)(98)(i)(D), (c)(101)(ii)(E), (c)(103)(ii)(D), (c)(103)(iv)(E), (c)(103)(vi)(B), (c)(103)(vii)(B), (c)(103)(viii)(B), (c)(103)(ix)(B), (c)(103)(x)(B), (c)(103)(xii)(C), (c)(103)(xiv)(B), (c)(103)(xvii)(B), (c)(103)(xviii)(B), (c)(124)(iii)(B), (c)(124)(v)(C), (c)(124)(vi)(C), (c)(124)(vii)(C), (c)(124)(viii)(C), (c)(124)(ix)(C), (c)(124)(x)(C), (c)(125)(iv)(B), (c)(125)(vi)(B), (c)(126)(i)(C), (c)(126)(iii)(C), (c)(126)(v)(C), (c)(127) introductory text, (c)(127)(iii)(B), (c)(127)(vi)(B), (c)(127)(vii)(D), (c)(137)(ii)(D), (c)(137)(iv)(C), (c)(137)(vii)(C), (c)(137)(viii)(B), (c)(138)(v)(D), (c)(140)(i)(C), (c)(153)(ii)(C), (c)(154)(i)(C), (c)(154)(iii)(C), (c)(159)(iii)(B), (c)(168)(i)(A)(3), (c)(168)(i)(E)(3), (c)(171)(i)(D)(5), and (c)(177)(i)(D)(2) to read as follows:

§ 52.220 Identification of plan.

* * * * *

(b) * * *

(1) Mendocino County APCD.
 (i) Previously approved on May 31, 1972 and now deleted without replacement Parts XI, XII, and Part XIII.
 (2) Placer County APCD.
 (i) Previously approved on May 31, 1972 and now deleted without replacement Rule 42 (Mountain Counties Air Basin), Rules 40 and 42 (Lake Tahoe Air Basin).
 (3) Tehama County APCD.
 (i) Previously approved on May 31, 1972 and now deleted without replacement Rule 5.1.

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(c) * * *

(6) * * *

(i) * * *

(B) Previously approved on September 22, 1972 and now deleted

without replacement Rules 44, 75, 77 to 80, 82 to 84, and 86 to 91.
 (ii) Calaveras County APCD.
 (A) Previously approved on September 22, 1972 and now deleted without replacement Rule 305.
 (iii) Colusa County APCD.
 (A) Previously approved on September 22, 1972 and now deleted without replacement Rules 3.1 and 5.1 to 5.17.
 (iv) Fresno County APCD.
 (A) Previously approved on September 22, 1972 and now deleted without replacement Rules 501, 502, 504, 506, 508 to 512, 514, 516, and 517.
 (v) Glenn County APCD.
 (A) Previously approved on September 22, 1972 and now deleted without replacement Rules 111, 113 to 117, 119 to 125, and 150.
 (vi) Kern County APCD (including Southeast Desert).
 (A) Previously approved on September 22, 1972 and now deleted without replacement Rules 502, 505 to 510, 512 to 515, and 517.
 (vii) Kings County APCD.
 (A) Previously approved on September 22, 1972 and now deleted without replacement Rules 502 to 509, 511 to 517.
 (viii) Lassen County APCD.
 (A) Previously approved on September 22, 1972 and now deleted without replacement Rules 1.5, 3.1 and 5.1 to 5.17.
 (ix) Madera County APCD.
 (A) Previously approved on September 22, 1972 and now deleted without replacement Rules 507 to 510 and 512 to 517.
 (x) Merced County APCD.
 (A) Previously approved on September 22, 1972 and now deleted without replacement Rules 502, 503, 506 to 510, and 512 to 517.
 (xi) Modoc County APCD.
 (A) Previously approved on September 22, 1972 and now deleted without replacement Rules 1.5 and 4.1 to 4.17.
 (xii) San Joaquin County APCD.
 (A) Previously approved on September 22, 1972 and now deleted without replacement Rules 502 and 506 to 509.
 (xiii) Stanislaus County APCD.
 (A) Previously approved on September 22, 1972 and now deleted without replacement Rules 303, 304, 502, 505 to 510 and 512 to 517.
 (xiv) Tulare County APCD.
 (A) Previously approved on September 22, 1972 and now deleted without replacement Rules 303, 304, 501, 502, 506 to 514, and 516 to 518.

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(21) * * *

(vi) * * *

(B) Previously approved on May 11, 1977 and now deleted without replacement Rule 41.

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(ix) * * *

(C) Previously approved on August 22, 1977 and now deleted without replacement Rule 510.

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(xiv) * * *

(B) Previously approved on June 14, 1978 and now deleted without replacement Rules 4.4, 4.5, 5.2, 5.3, 5.5, 5.7 to 5.9, and 5.13 to 5.17.

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(24) * * *

(vi) * * *

(C) Previously approved on August 22, 1977 and now deleted without replacement Rules 4.2 to 4.4, 4.8 to 4.10, 4.15, and 4.23.

(vii) * * *

(D) Previously approved on August 22, 1977 and now deleted without replacement Rule 516 (including Southeast Desert).

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(ix) * * *

(C) Previously approved on June 14, 1978 and now deleted without replacement Rules 5.6 and 5.12.

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(25) * * *

(i) * * *

(E) Previously approved on August 22, 1977 and now deleted without replacement Rule 505.

(ii) * * *

(D) Previously approved on August 22, 1977 and now deleted without replacement Rules 504, 505, 510, 512 to 518, and 520.

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(iv) * * *

(B) Previously approved on August 22, 1977 and now deleted without replacement Rule 503 to 505, 515, and 519.

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(26) * * *

(iv) * * *

(C) Previously approved on May 11, 1977 and now deleted without replacement Rules 118 and 122.1 to 122.3.

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(vii) * * *

(B) Previously approved on August 22, 1977 and now deleted without replacement Rules 503, 507, 513, and 515.

(viii) * * *

(C) Previously approved on August 22, 1977 and now deleted without replacement Rules 601, 602, 604 to 609, 611 to 616, and 618.

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(xvi) * * *

(D) Previously approved on June 14, 1978 and now deleted without replacement Rules 705 to 709.

(xvii) * * *

(B) Previously approved on June 14, 1978 and now deleted without replacement Rules 701, 707, 711 to 714, and 716 (Mountain Counties Air Basin).

(C) Previously approved on June 14, 1978 and now deleted without replacement Rules 701, 705, 707, 711 to 714, and 716 (Lake Tahoe Air Basin).

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(27) * * *

(vii) * * *

(B) Previously approved on June 14, 1978 and now deleted without replacement Rules 701 to 703, 705 to 709, and 712 to 716.

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(28) * * *

(iv) * * *

(B) Previously approved on August 22, 1977 and now deleted without replacement Rules 701, 704 to 709, 711 to 714, and 716.

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(30) * * *

(x) * * *

(B) Previously approved on June 14, 1978 and now deleted without replacement Rules 501, 502, 506 to 509, 511 to 518, 801, 803 to 804, 807 to 811, 813 to 815, and 817.

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(31) * * *

(i) * * *

(F) Previously approved on June 6, 1977 and now deleted without replacement Rules 600 to 615 and 800 to 817.

(xiii) * * *

(B) Previously approved on August 15, 1977 and now deleted without replacement Rule 43.

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(xviii) * * *

(D) Previously approved on January 24, 1978 and now deleted without replacement Rules 705 to 709 and 712 to 716.

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(32) * * *

(ii) * * *

(B) Previously approved on August 22, 1977 and now deleted without replacement Rules 501, 404, and 511.

(iii) * * *

(E) Previously approved on June 14, 1978 and now deleted without replacement Rules 105, 501, and 504.

(iv) * * *

(D) Previously approved on June 14, 1978 and now deleted without replacement Rules 504, 505, 510, 802, 805, 806, 812, and 816.

(E) Previously approved on June 14, 1978 and now deleted without replacement.

(1) Los Angeles County APCD Rule 505.

(2) Riverside County APCD Rule 505.

(3) San Bernardino County APCD Rule 505.

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(35) * * *

(iii) * * *

(C) Previously approved on August 15, 1977 and now deleted without replacement Rules 115 to 119, 112, and 128 to 129.

(v) * * *

(B) Previously approved on October 4, 1977 and now deleted without replacement Rules 501.

(vi) * * *

(C) Previously approved on September 21, 1976 and now deleted without replacement Rules 105 and 305.

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(xii) * * *

(F) Previously approved on August 4, 1978 and now deleted without replacement Rules 801 to 817.

(xiii) * * *

(C) Previously approved on March 22, 1978 and now deleted without replacement Rules 105, 501, 504, and 511 (including Southeast Desert).

(xiv) * * *

(E) Previously approved on August 2, 1978 and now deleted without replacement Rules 340, 510, and 620 to 650.

(xv) * * *

(E) Previously approved on November 7, 1978 and now deleted without replacement rules 510, 620, 640, and 650.

(xvi) * * *

(C) Previously approved on August 16, 1978 and now deleted without replacement Rules 340, 510, 600, 610, 620, 630, 640, and 650.

(xvii) * * *

(D) Previously approved on August 2, 1978 and now deleted without replacement Rules 340, 510, and 620 to 650.

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(37) * * *

(iv) * * *

(D) Previously approved on August 4, 1978 and now deleted without replacement Rules 300, 800, 1600, 1601, 1610 to 1612, 1620, 1700 to 1701, 1710 to 1714, 1720 to 1725, 1730 to 1736, and Tables I to V.

(v) * * *

(C) Previously approved on December 6, 1979 and now deleted without replacement Rules 601 to 605, 700 to 704, and 705 to 716.

* * * * *

(39) * * *

(ii) * * *

(F) Previously approved on September 8, 1978 and now deleted without replacement Rules 503 to 508, 510 to 516, 518, and 801 to 817.

(iii) * * *

(F) Previously approved on September 8, 1978 and now deleted without replacement Rules 502 to 516, 518, and 801 to 817.

(iv) * * *

(F) Previously approved on September 8, 1978 and now deleted without replacement Rules 503 to 516, 518, and 801 to 817.

* * * * *

(vii) * * *

(C) Previously approved on June 6, 1977 and now deleted without replacement Rules 600, 603 and 610.

(viii) * * *

(C) Previously approved on September 14, 1978 and now deleted without replacement Rules 601 to 602, 604 to 609, and 611.

(ix) * * *

(B) Previously approved on September 14, 1978 and now deleted without replacement Rules 602 to 605, 700, and 710.

(x) * * *

(B) Previously approved on September 14, 1978 and now deleted without replacement Rules 704, 710, and 711(A).

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(41) * * *

(ii) * * *

(D) Previously approved on August 31, 1978 and now deleted without replacement Rules 77, 85, and 96.

* * * * *

(ix) * * *

(C) Previously approved on November 7, 1978 and now deleted without replacement Rules 700, 702, 703, 710, 715.

(x) * * *

(B) Previously approved on November 15, 1978 and now deleted without replacement Rules 703, 704, 708 to 710, and 715 (Mountain Counties Air Basin).

(C) Previously approved on November 15, 1978 and now deleted without replacement Rules 603 to 605, 702 to 704, 706, 708 to 710, and 715 (Lake Tahoe Air Basin).

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(xii) * * *

(B) Previously approved on November 14, 1978 and now deleted without replacement Rules 4.5 and 4.6.

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(42) * * *

(i) * * *

(E) Previously approved on August 11, 1978 and now deleted without

replacement Rules 501 to 512 and 514 to 516.

* * * * *

(iii) * * *

(C) Previously approved on August 4, 1978 and now deleted without replacement Rules 105 and 501.

* * * * *

(xiii) * * *

(D) Previously approved on December 21, 1978 and now deleted without replacement Rules 501, 502, and 509.

(xiv) * * *

(C) Previously approved on December 21, 1978 and now deleted without replacement Rule 501.

* * * * *

(44) * * *

(iv) * * *

(C) Previously approved on January 29, 1979 and now deleted without replacement Rule 5.1, 5.10 and 5.11.

(v) * * *

(B) Previously approved on March 28, 1979 and now deleted without replacement Rule 503.

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(45) * * *

(iii) * * *

(B) Previously approved on July 30, 1979 and now deleted without replacement Rules 76 and 97.

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(50) * * *

(i) * * *

(B) Previously approved on October 31, 1980 and now deleted without replacement Rule 615.

(ii) * * *

(B) Previously approved on October 31, 1980 and now deleted without replacement Rule 615.

(iii) * * *

(B) Previously approved on October 31, 1980 and now deleted without replacement Rule 615.

(iv) * * *

(B) Previously approved on October 31, 1980 and now deleted without replacement Rule 615.

(v) * * *

(B) Previously approved on October 31, 1980 and now deleted without replacement Rules 320 and 615.

(51) * * *

(i) * * *

(C) Previously approved on August 11, 1980 and now deleted without replacement Rule 503 (including Southeast Desert).

* * * * *

(iii) * * *

(B) Previously approved on October 31, 1980 and now deleted without replacement Rule 320.

(iv) * * *

(B) Previously approved on October 31, 1980 and now deleted without replacement Rule 320.

(v) * * *

(B) Previously approved on October 31, 1980 and now deleted without replacement Rule 320.

(vi) * * *

(B) Previously approved on October 31, 1980 and now deleted without replacement Rule 320.

(vii) * * *

(D) Previously approved on September 28, 1981 and now deleted without replacement Rules 95 and 98.

(viii) * * *

(D) Previously approved on December 9, 1981 and now deleted without replacement Rules 301, 303 to 311, and 511.

(E) Previously approved on June 18, 1982 and now deleted without replacement Rule 302.

(ix) * * *

(D) Previously approved on June 18, 1982 and now deleted without replacement Rule 519.

* * * * *

(xii) * * *

(C) Previously approved on January 27, 1981 and now deleted without replacement Rule 501.1.

(xiii) * * *

(B) Previously approved on May 18, 1981 and now deleted without replacement Rules 210 to 211, 501 to 504, 506 to 512, 514 to 516, and 518.

(xv) * * *

(C) Previously approved on May 18, 1981 and now deleted without replacement Rule 404, 602, and 603.

(xvi) * * *

(B) Previously approved on January 26, 1982 and now deleted without replacement Rule 71.

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(xx) * * *

(B) Previously approved on June 18, 1982 and now deleted without replacement Rules 40, 110 to 114, 120 to 121, 123 to 126, and 130.

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(52) * * *

(iv) * * *

(D) Previously approved on October 9, 1981 and now deleted without replacement Rule 302.

(E) Previously approved on June 18, 1982 and now deleted without replacement Rule 519.

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(ix) * * *

(C) Previously approved on December 9, 1981 and now deleted without replacement Rules 301 and 302.

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(xi) * * *

(B) Previously approved on May 18, 1981 and now deleted without replacement Rules 605, 700 to 704, and 710 to 711.

(xii) * * *

(B) Previously approved on May 18, 1981 and now deleted without replacement Rule 404.

(xv) * * *

(C) Previously approved on December 9, 1981 and now deleted without replacement Rule 305.

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(xix) * * *

(C) Previously approved on January 26, 1982 and now deleted without replacement Rule 4.3.

* * * * *

(54) * * *

(iii) * * *

(B) Previously approved on May 18, 1981 and now deleted without replacement Rules 303 and 304.

(iv) * * *

(D) Previously approved on January 26, 1982 and now deleted without replacement Rule 5.4.

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(58) * * *

(ii) * * *

(C) Previously approved on September 28, 1981 and now deleted without replacement Rule 501.1.

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(74) * * *

(i) * * *

(B) Previously approved on January 27, 1981 and now deleted without replacement Rule 517.

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(87) * * *

(vi) * * *

(B) Previously approved on June 18, 1982 and now deleted without replacement Rule 74.

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(88) * * *

(i) * * *

(D) Previously approved on December 9, 1981 and now deleted without replacement Rule 305.

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(89) * * *

(vi) * * *

(B) Previously approved on April 13, 1982 and now deleted without replacement Rule 301 and Table VI.

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(92) * * *

(ii) * * *

(D) Previously approved and now deleted without replacement Rules 601 and 702.

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(93) * * *

(iv) * * *

(C) Previously approved on April 23, 1982 and now deleted without replacement Rule 522.

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(95) * * *

- (v) * * *
(C) Previously approved on June 18, 1982 and now deleted without replacement Rule 301.
* * * * *
- (96) * * *
(iii) * * *
(B) Previously approved on January 26, 1982 and now deleted without replacement Rules 110 and 112.
* * * * *
- (98) * * *
(i) * * *
(D) Previously approved on April 12, 1982 and now deleted without replacement Rules 5.0 to 5.17, 5.19, 6.0 to 6.7, and 7.0 to 7.2.
* * * * *
- (101) * * *
(ii) * * *
(E) Previously approved on July 6, 1982 and now deleted without replacement Rule 305 (including Southeast Desert).
* * * * *
- (103) * * *
(ii) * * *
(D) Previously approved on July 6, 1982 and now deleted without replacement Rule 42.
* * * * *
- (iv) * * *
(E) Previously approved on June 18, 1982 and now deleted without replacement Rule 42.
(vi) * * *
(B) Previously approved on April 13, 1982 and now deleted without replacement Rules 300 and 310.
(vii) * * *
(B) Previously approved on April 13, 1982 and now deleted without replacement Rules 300 and 310.
(viii) * * *
(B) Previously approved on April 13, 1982 and now deleted without replacement Rules 300 and 310.
(ix) * * *
(B) Previously approved on April 13, 1982 and now deleted without replacement Rules 300 and 310.
(x) * * *
(B) Previously approved on April 13, 1982 and now deleted without replacement Rules 300 and 310.
* * * * *
- (xii) * * *
(C) Previously approved on June 18, 1982 and now deleted without replacement Rule 301.
* * * * *
- (xiv) * * *
(B) Previously approved on May 27, 1982 and now deleted without replacement Rule 305.
(xvii) * * *
(B) Previously approved on May 27, 1982 and now deleted without replacement Rule 516.
- (xviii) * * *
(B) Previously approved on July 6, 1982 and now deleted without replacement Rule 504.1.
* * * * *
- (124) * * *
(iii) * * *
(B) Previously approved on November 10, 1982 and now deleted without replacement Rules 503 and 521.
* * * * *
- (v) * * *
(C) Previously approved on November 10, 1982 and now deleted without replacement Rule 503.
(vi) * * *
(C) Previously approved on November 10, 1982 and now deleted without replacement Rules 616 and 618.
(vii) * * *
(C) Previously approved on November 10, 1982 and now deleted without replacement Rules 616 and 618.
(viii) * * *
(C) Previously approved on November 10, 1982 and now deleted without replacement Rules 616 and 618.
(ix) * * *
(C) Previously approved on November 10, 1982 and now deleted without replacement Rules 616 and 618.
(x) * * *
(C) Previously approved on November 10, 1982 and now deleted without replacement Rules 616 and 618.
* * * * *
- (125) * * *
(iv) * * *
(B) Previously approved on November 10, 1982 and now deleted without replacement Rule 4.4.
* * * * *
- (vi) * * *
(B) Previously approved on November 10, 1982 and now deleted without replacement Rules 4.1 and 4.2.
* * * * *
- (126) * * *
(i) * * *
(C) Previously approved on June 1, 1983 and now deleted without replacement Rule 70.
* * * * *
- (iii) * * *
(C) Previously approved on June 18, 1982 and now deleted without replacement Rule 302.
* * * * *
- (v) * * *
(C) Previously approved on June 1, 1983 and now deleted without replacement Rule 519.
* * * * *
- (127) Revised regulations for the following APCDs submitted on February 3, 1983 by the Governor's designee.
* * *
- (iii) * * *
(B) Previously approved on November 18, 1983 and now deleted without replacement Rule 350.
* * * * *
- (vi) * * *
(B) Previously approved on November 18, 1983 and now deleted without replacement Rule 302.
(vii) * * *
(D) Previously approved on November 18, 1983 and now deleted without replacement Rule 303.
* * * * *
- (137) * * *
(ii) * * *
(D) Previously approved on February 1, 1984 and now deleted without replacement Rules 305 and 519.
* * * * *
- (iv) * * *
(C) Previously approved on February 1, 1984 and now deleted without replacement Rule 40.
* * * * *
- (vii) * * *
(C) Previously approved on February 1, 1984 and now deleted without replacement Rule 502.
(viii) * * *
(B) Previously approved on February 1, 1984 and now deleted without replacement Rule 41.
* * * * *
- (138) * * *
(v) * * *
(D) Previously approved on November 18, 1983 and now deleted without replacement Rules 305 and 502 to 503.
* * * * *
- (140) * * *
(i) * * *
(C) Previously approved on May 3, 1984 and now deleted without replacement Rule 3-301.
* * * * *
- (153) * * *
(ii) * * *
(C) Previously approved on December 5, 1984 and now deleted without replacement Rules 600 and 610.
* * * * *
- (154) * * *
(i) * * *
(C) Previously approved on December 5, 1984 and now deleted without replacement Rules 600 and 610.
* * * * *
- (iii) * * *
(C) Previously approved on December 5, 1984 and now deleted without replacement Rules 601 and 602.
* * * * *
- (159) * * *
(iii) * * *
(B) Previously approved on July 13, 1987 and now deleted without

replacement Rules 600 to 617 and 800 to 816.

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(168) * * *
(i) * * *
(A) * * *

(3) Previously approved on February 3, 1987 and now deleted without replacement Rules 601 to 618, 620 to 621, and 801 to 802.

(E) * * *
(3) Previously approved on February 3, 1987 and now deleted without replacement Rules 5.2 to 5.3, 5.6 to 5.9, 5.11 to 5.12, 5.13, 5.15 to 5.18, and 5.20 to 5.23.

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(171) * * *
(i) * * *
(D) * * *

(5) Previously approved on April 12, 1989 and now deleted without replacement Rule 4.1.

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(177) * * *
(i) * * *
(D) * * *

(2) Previously approved on April 16, 1991 and now deleted without replacement Rules 106, 501, 504 to 506, and 519.

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Subpart M—Hawaii

4. Section 52.620 is amended by adding paragraphs (b)(1) and (c)(16)(i)(B) and revising paragraphs (c)(10) and (c)(14) to read as follows:

§ 52.620 Identification of plan.

* * * * *

(b) * * *
(1) Previously approved on May 31, 1972 and now deleted without replacement Chapter 43, Section 7.

(c) * * *
(10) Previously approved on April 23, 1979 and now deleted without replacement: A variance to the Hawaii Public Health Regulations, Chapter 43, Section 7 (b)(5) submitted on September 12, 1978, by the Governor.

* * * * *

(14) Previously approved on September 30, 1982 and now deleted without replacement: A variance of the Hawaii Public Health Regulations, Chapter 43, Section 8 (b)(1) submitted on April 6, 1982, by the Governor.

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(16) * * *
(i) * * *
(B) Previously approved on August 18, 1983 and now deleted without replacement Section 11–60–36.

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Subpart DD—Nevada

5. Section 52.1470 is amended by adding paragraphs (b)(1), (c)(14)(ii)(A), (c)(16)(viii)(A), and (c)(24)(iv)(A) to read as follows:

§ 52.1470 Identification of plan.

* * * * *

(b) * * *
(1) Previously approved on May 31, 1972 and now deleted without replacement Rules 2.8 and 2.11.

- (c) * * *
(14) * * *
(i) * * *
(ii) * * *

(A) Previously approved on July 10, 1980 and now deleted without replacement Statutes 445.506, 445.511, 445.516, and 445.521.

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(16) * * *
(viii) * * *
(A) Previously approved on August 27, 1981 and now deleted without replacement Section 9, Rules 9.2 to 9.3.

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(24) * * *
(iv) * * *
(A) Previously approved on June 18, 1982 and now deleted without replacement Section 7, Rules 7.1 to 7.19 and Section 9, Rule 9.1.

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Subpart DDD—American Samoa

6. Section 52.2820 is amended by adding the following paragraph (b)(1) to read as follows:

§ 52.2820 Identification of plan.

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(b) * * *
(1) Previously approved on May 31, 1972 and now deleted without replacement Chapter 35.01, Section 35.0113 of the Environmental Quality Act.

[FR Doc. 97–16650 Filed 6–26–97; 8:45 am]
BILLING CODE 6560–50–U

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Chapter I

[General Docket No 96–113; FCC 97–164]

Section 257 Proceeding To Identify and Eliminate Market Entry Barriers for Small Businesses

AGENCY: Federal Communications Commission.

ACTION: Policy statement.

SUMMARY: The attached Report summarizes the Commission’s

implementation of Section 257 of the Telecommunications Act of 1996 (1996 Act), which requires the Commission to identify and eliminate market entry barriers for entrepreneurs and small businesses in the provision and ownership of telecommunications services and information services or in the provision of parts or services to providers of telecommunications services or information services. The Report addresses issues raised by the more than 80 entities that filed comments, describes the Commission’s policies to foster small business opportunities in the telecommunications industry, and explains agency-wide small business initiatives that the Commission has undertaken since enactment of the 1996 Act, as well as steps that the Commission intends to take in the future. The Report also describes the Commission’s comprehensive study of the participation of small businesses and businesses owned by women or minorities in the telecommunications market. Through this Report the Commission reaffirms its commitment to achieving the policy goals of Section 257; to eliminate market entry barriers for small communications businesses.

ADDRESSES: The complete text of this report is available for inspection and copying during normal business hours in the FCC Reference Center (room 239), 1919 M Street, N.W., Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Office of General Counsel: Linda L. Haller or Sheryl Wilkerson, at (202) 418–1720. Office of Communications Business Opportunities: Catherine K. Sandoval or Vivian Keller, at (202) 418–0990.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission’s Report which was adopted on May 8, 1997 and released on May 8, 1997. The complete text of this report also can be obtained on-line at the FCC’s Internet Home Page at www.fcc.gov., and may be purchased from the Commission’s copy contractor, International Transcription Service (202) 857–3800, 2100 M Street, N.W., Suite 140, Washington, D.C. 20037.

I. Introduction and Statement of Policy

1. Section 257 of the Telecommunications Act of 1996 (Telecommunications Act or 1996 Act) 1 requires the Commission to identify and eliminate “market entry barriers for entrepreneurs and other small businesses in the provision and ownership of telecommunications

1 Telecommunications Act of 1996, Pub. L. No. 104–104, 110 Stat. 56 (1996), Section 257.