

and (4) the Federal government. There will be additional seating, theater style, in the meeting room, available on a first come first served basis, for about 100 people. To the extent possible, everyone who wishes to speak will have an opportunity. We will provide an agenda at the meeting. If you plan to attend the meeting, please E-mail or call Pam Smith, at E-mail address smith.pam@epa.gov or telephone number (919) 541-0641, by January 6, 2000.

Dated: December 10, 1999.

**Henry C. Thomas,**

*Acting Director, Office of Air Quality Planning and Standards.*

[FR Doc. 99-32866 Filed 12-17-99; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[NM39-1-7416a; FRL-6504-9]

#### Approval and Promulgation of Implementation Plans; State of New Mexico; Approval of Revised Maintenance Plan for Albuquerque/Bernalillo County; Albuquerque/Bernalillo County, New Mexico; Carbon Monoxide

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Direct final rule.

**SUMMARY:** The EPA is approving, by direct final action, a revision to the Albuquerque/Bernalillo County carbon monoxide (CO) State Implementation Plan (SIP). The Governor of New Mexico requested EPA approval of the revision on February 4, 1999. The Governor requested approval of changes and adjustments to the baseline emission inventory, approval of a new Motor Vehicle Emissions Budget, and revisions to budget projections in the CO maintenance plan.

**DATES:** This rule is effective on February 18, 2000 without further notice, unless EPA receives adverse comment by January 19, 2000. If we receive such comment, we will publish a timely withdrawal in the **Federal Register** informing the public that this rule will not take effect.

**ADDRESSES:** You should address comments on this action to Mr. Thomas Diggs, EPA Region 6, Air Planning Section (6PD-L), 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202.

Copies of all materials considered in this rulemaking, including the technical support document may be examined during normal business hours at the following locations: EPA Region 6 offices, 1445 Ross Avenue, Suite 700, Dallas, Texas 75202, and the Albuquerque Environmental Health Department, Air Pollution Control Division, One Civic Plaza Room 3023, Albuquerque, New Mexico 87102. If you plan to view the documents at either location, please call 48 hours ahead of the time you plan to arrive.

**FOR FURTHER INFORMATION CONTACT:** Mr. Matthew Witosky of the EPA Region 6 Air Planning Section, at (214) 665-7214, or [WITOSKY.MATTHEW@EPA.GOV](mailto:WITOSKY.MATTHEW@EPA.GOV).

#### I. Supplementary Information

##### Overview

The information in this section is organized as follows:

1. What action is the EPA taking today?
2. Why must the EPA approve a change to the maintenance plan?
3. What changes in the Albuquerque maintenance plan are being approved?
  - a. Emissions Budget categories.
    - (1) Point Source
    - (2) Mobile source
      - (a) How can the emissions projections differ so much?
      - (3) Area source
  4. Why are the emissions inventory and budgets being revised?
  5. Under what authority does Albuquerque revise it's plan?
  6. How is Albuquerque protecting air quality, if they are increasing the amount of mobile emissions allowed in the region?

#### 1. What action is the EPA taking today?

The EPA is approving a revision to the Albuquerque and Bernalillo County carbon monoxide maintenance plan. Hereafter, Albuquerque and Bernalillo County will be referred to as "Albuquerque." Albuquerque requested a revision to the point, area, and mobile source emissions budget categories, and the overall budget ceiling in the plan. This includes a revision to the on-road mobile source budget, also referred to as the Motor Vehicle Emissions Budget (MVEB). The original maintenance plan budget was adopted with the request to redesignate the area to attainment.

#### 2. Why must the EPA approve a change to the maintenance plan?

The Federal Clean Air Act as Amended in 1990, (the Act) requires States (or in this case, Albuquerque) to seek EPA approval of revisions to maintenance plans, because such plans are part of the federally enforceable SIP. Albuquerque submitted the revised inventory and emissions budget, to address a potential conflict between the on-road mobile source emissions projected by the proposed Metropolitan Transportation Plan, and the CO MVEB for the years 1999 and 2002.

Albuquerque indicated that previous on-road mobile emissions projections and point source projections were too low, and the area source projections were too high. Without a revision, the area's on-road mobile emissions might surpass the MVEB in the maintenance plan.

#### 3. What changes in the Albuquerque maintenance plan are being approved?

The EPA is approving Albuquerque's adjustment to the three main categories of emissions in the maintenance plan. The following is a complete table of the previous maintenance plan budget, and the revision to the maintenance plan budget. A more detailed review of the revision follows this table.

#### ALBUQUERQUE MAINTENANCE PLAN—CARBON MONOXIDE EMISSIONS IN TONS PER DAY (TPD): MAINTENANCE PLAN AND REVISION

Category	Version	1996	1999	2002	2005	2006
Highway mobile (MVEB):	Plan	235.50	207.95	197.13	199.12	202.95
	Revised	266.99	229.09	209.01	205.67	205.86
Off road mobile:	Plan	48.12	50.48	52.86	55.22	55.98
	Revised	50.90	52.68	54.46	56.25	56.84
Area:	Plan	116.28	120.98	125.71	130.42	131.98
	Revised	67.19	69.87	72.60	75.25	76.09
Stationary:	Plan	0	0	0	0	0

ALBUQUERQUE MAINTENANCE PLAN—CARBON MONOXIDE EMISSIONS IN TONS PER DAY (TPD): MAINTENANCE PLAN AND REVISION—Continued

Category	Version	1996	1999	2002	2005	2006
	Revised	3.92	27.40	27.54	27.68	27.72
Total:	Plan	399.90	379.41	375.70	384.76	390.91
	Revised	389.00	379.04	363.61	364.85	366.51

a. Emissions Budget categories.  
 (1) Point Source  
 The maintenance plan adopted by Albuquerque and approved by the EPA projected that no point sources would exist in the maintenance area in the year 2006, meaning the area would have no stationary source CO emissions. Albuquerque now projects that point source emissions will equal 27.72 tpd. These facilities are or will be operating under appropriate local permits.

(2) Mobile source  
 Albuquerque's revision indicated that on-road emission levels were higher in 1996 than originally projected. The previously approved projections were 235.5 tpd, while Albuquerque now estimates that emissions in 1996 were 266.9. The following table shows how the previous and new projections compare. The maintenance plan adopted by Albuquerque and approved by the EPA in 1995 projected that on-

road mobile sources would contribute 202.95 tpd to the maintenance area in the year 2006, down from a 1996 baseline level of 235.50 tpd. These numbers constitute the MVEB adopted previously. The revised maintenance plan estimates that on-road mobile sources will contribute 205.86 tpd, down from a revised baseline of 266.99 tpd. Below is a table comparing the change in motor vehicle emission budgets.

ALBUQUERQUE CO MAINTENANCE PLAN COMPARISON OF SELECTED YEARS ON-ROAD MOBILE BUDGET (MVEB) IN TPD APPROVED PLAN AND REVISION

SIP revision	1996	1999	2002	2005	2006
Maintenance plan, 1995 .....	235.50	207.95	197.13	199.12	202.95
Revision to maintenance plan, 1999 .....	266.99	229.09	209.01	205.67	205.86
Difference .....	31.49	21.14	11.88	6.55	2.91

In this action, the EPA is approving the following MVEB, which will be used for transportation conformity purposes.

ALBUQUERQUE CO MAINTENANCE PLAN APPROVED MOTOR VEHICLE EMISSIONS BUDGET (MVEB), IN TONS PER DAY

Year	1996	1999	2002	2005	2006
On-road mobile emissions budget .....	266.99	229.09	209.01	205.67	205.86

(a) How can the emission projections differ so much?

On-road mobile emissions tend to react to three factors. First, vehicles become cleaner over time as older vehicles are replaced with newer vehicles that emit less pollution. Much of the reduction in emissions depicted above reflects vehicle turnover. The second factor, that tends to drive up emissions, is the growth of Vehicle Miles Traveled (VMT). Both sets of projections predicted continued growth in VMT. However, the revised projections indicate that VMT will not grow as fast as originally predicted. The above also indicates that, over time, lesser emissions that result from vehicle turnover is the stronger factor, so the net result is still lower emissions over time.

Albuquerque revised their estimates of VMT downward, reflecting their expectation that growth in the area

would be less robust than during the previous period. The forecasts predict that annual growth will drop from 1.93 percent per year in 1996, to 1.46 per year in 2005 within Bernalillo County. This deceleration is partly due to a predicted shift in growth patterns to outlying areas, from Bernalillo County. Counties surrounding the maintenance area, such as Valencia, Sandoval, and Tarrant, are expected to grow faster. Although growth of outlying areas may impact emission levels, Albuquerque's estimates do not indicate the impact will cause the maintenance area to deteriorate into CO nonattainment.

The third factor that affected the emission inventory and projections was temperature assumptions in the model. Albuquerque updated the temperature data used in the MOBILE5 model, to compute vehicle emissions. The MOBILE5 model generates emission

rates for vehicles on a grams-per-mile basis, relying on locally recorded temperatures to generate the rate. Ambient temperature affects CO emissions from internal combustion (i.e., vehicle) engines. In the original request for redesignation, Albuquerque input temperature data from 1991, 1992, and 1993 to generate the appropriate emission factors. Their revised inventory uses temperature data from 1994, 1995, and 1996. This change in temperature, when input into MOBILE5, produces a lower grams/mile emission rate for local vehicles. Although the temperatures input were different, Albuquerque followed EPA guidance by using the most recent temperature data in the model. EPA guidance states that areas should use the three most recent years of data, during which the area was in attainment of the standard.

Albuquerque made an additional change in the projections that should be noted, but whose impact was marginal. Albuquerque changed the factor that converts annual vehicle miles traveled, to a winter season average. This factor is used to better estimate winter driving habits, compared to average driving habits year round. For additional information on this part, see the Technical Support Document.

#### (3) Area source

The maintenance plan adopted by Albuquerque and approved by the EPA projected that area sources would contribute 116.28 tpd in 1996, growing to a level of 131.98 tpd to the maintenance area in the year 2006. In the revised plan, the area's emissions were 67.19 tpd in 1996, that will grow to 76.09 tpd by 2006. Albuquerque reduced the emissions inventory figures for 1996 through a study of wood-burning practices in the maintenance area. The study was commissioned by Albuquerque and performed by a contractor. In that study, Albuquerque learned that carbon monoxide emissions from household wood burning had been overestimated in the original maintenance plan. The original plan used national "typical use" data for the amount of wood burned, to quantify CO emissions produced by household wood burning. By opting to conduct local research, Albuquerque was able to develop and use its own activity data, thereby predicting lower emissions.

The EPA generally encourages that areas perform research to determine the actual level of emissions, rather than rely on established "default" emission factors, where areas can afford to perform the research. After performing the study, Albuquerque had sufficient documentation to revise the inventory to an emission level that they believe more accurately reflects local conditions. Therefore, the EPA is approving a downward adjustment by 49.09 tpd. This revised estimate of area source emissions allowed revisions in the point and on-road mobile categories, without causing an increase in the overall level of emissions allowed in the budget.

#### 4. Why are the emission inventory and budgets being revised?

Bernalillo County, Albuquerque, and the surrounding area, continue to grow rapidly. The Act mandates that CO areas redesignated to attainment must adopt plans that will keep air pollution levels below the health-based standard, especially during times of growth. The original projections adopted in the original maintenance plan underestimated the growth of on-road

mobile emissions, and overestimated other emissions. The EPA must approve any change to the CO maintenance plan. Once approved, the MVEB in the CO maintenance plan is used for conformity purposes. For the most recent action on conformity in Albuquerque, *See 64 FR 36786, July 8, 1999.*

#### 5. Under what authority does Albuquerque revise the plan?

The Act allows Albuquerque to change the approved MVEB in the maintenance plan, provided that the budget continues to provide for attainment. In the case of a maintenance plan, emissions must remain below the estimated emissions in the year the area attained the standard.

The rules under the Act allow budgets to be adjusted, provided that the total of emissions stay below the level that achieved attainment. The EPA approval of the maintenance plan established the MVEB for transportation conformity purposes, and the overall budget as a demonstration of continued attainment.

#### 6. How is Albuquerque protecting air quality, if they are increasing the amount of mobile emissions allowed in the region?

Albuquerque is resetting the budget levels for mobile emissions, point source emissions, and area source emissions, but is not increasing the overall emissions allowed in the basin. Although on-road mobile source emissions (*i.e.*, vehicles) will now make up a greater share of the CO produced in the area, total CO emissions are lower than the original maintenance plan. The EPA's review of this revision finds that the new mobile source emissions budget, and the overall emissions budget, will keep the total emissions for the area at or below the attainment year inventory level.

Moreover, the total emissions level is below the level established in the original maintenance plan. In the plan adopted and approved in 1995, Albuquerque demonstrated that the region could maintain air quality with 390 tpd from all sources. The revision sets a new maintenance level at 366 tpd. This commits Albuquerque to maintaining area emissions below 366 tpd, down 24 tpd from the previous plan. This change is ultimately more protective of the standard, because Albuquerque's maintenance plan requires the Air Board to consider implementing the maintenance plan contingency measures if Albuquerque projects that emissions will reach 366 tpd. The contingency measures include increasing the frequency of the vehicle inspection and maintenance program, or

increasing the oxygenate content in gasoline sold during the winter (high CO) season. In the event that the periodic inventory demonstrated emissions have surpassed these revised levels, the Albuquerque Air Board could implement one or both contingency measures as a preventive measure to avoid nonattainment. In the event that monitored CO levels violated the standard, these contingency measures would be implemented without further action from the Air Board.

## II. Final Action

The EPA is approving, by direct final action, Albuquerque's revision to the CO maintenance plan, part of the SIP for New Mexico. This revision was submitted to the EPA on February 9, 1999. The revision contains a revised attainment inventory of emissions from area, point, on-road mobile, and off-road mobile sources. It also contains the CO Motor Vehicle Emissions Budget in the maintenance plan for purposes of transportation conformity.

The EPA is publishing this action without prior proposal because we view this as a noncontroversial amendment and anticipate no adverse comments. However, in the "Proposed Rules" section of today's **Federal Register** publication, we are publishing a separate document that will serve as the proposal to approve the SIP revision if we receive adverse comments. This rule will be effective February 18, 2000, without further notice unless we receive relevant adverse comments by January 19, 2000.

If EPA receives adverse comments, we will publish a timely withdrawal in the **Federal Register** informing the public that the rule will not take effect. We will address all public comments in a subsequent final rule based on the proposed rule. We will not institute a second comment period on this action. Any parties interested in commenting must do so at this time.

## III. Administrative Requirements

### A. Executive Order (E.O.) 12866

The Office of Management and Budget (OMB) has exempted this regulatory action from E.O. 12866, entitled "Regulatory Planning and Review."

### B. Executive Order 13132

Executive 13132, entitled "Federalism" (64 FR 43255, August 10, 1999) revokes and replaces E.O. 12612, "Federalism," and E.O. 12875, "Enhancing the Intergovernmental Partnership." Executive Order 13132 requires EPA to develop an accountable process to ensure "meaningful and

timely input by State and local officials in the development of regulatory policies that have federalism implications." "Policies that have federalism implications" is defined in the E.O. to include regulations that have "substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government." Under E.O. 13132, EPA may not issue a regulation that has federalism implications, that imposes substantial direct compliance costs, and that is not required by statute, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by State and local governments, or EPA consults with State and local officials early in the process of developing the proposed regulation. The EPA also may not issue a regulation that has federalism implications and that preempts State law unless the Agency consults with State and local officials early in the process of developing the proposed regulation.

This final rule will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in E.O. 13132, because it merely approves a State rule implementing a Federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Act." Thus, the requirements of section 6 of the E.O. do not apply to this rule.

#### C. Executive Order 13045

Executive Order 13045, entitled "Protection of Children from Environmental Health Risks and Safety Risks" (62 FR 19885, April 23, 1997), applies to any rule that: (1) is determined to be "economically significant" as defined under E.O. 12866, and (2) concerns an environmental health or safety risk that EPA has reason to believe may have a disproportionate effect on children. If the regulatory action meets both criteria, the Agency must evaluate the environmental health or safety effects of the planned rule on children, and explain why the planned regulation is preferable to other potentially effective and reasonably feasible alternatives considered by the Agency.

The EPA interprets E.O. 13045 as applying only to those regulatory actions that are based on health or safety risks, such that the analysis required

under section 5-501 of the Order has the potential to influence the regulation. This final rule is not subject to E.O. 13045 because it approves a State program.

#### D. Executive Order 13084

Under E.O. 13084, EPA may not issue a regulation that is not required by statute, that significantly or uniquely affects the communities of Indian tribal governments, and that imposes substantial direct compliance costs on those communities, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by the tribal governments, or EPA consults with those governments. If EPA complies by consulting, E.O. 13084 requires EPA to provide to the OMB, in a separately identified section of the preamble to the rule, a description of the extent of EPA's prior consultation with representatives of affected tribal governments, a summary of the nature of their concerns, and a statement supporting the need to issue the regulation. In addition, E.O. 13084 requires EPA to develop an effective process permitting elected officials and other representatives of Indian tribal governments "to provide meaningful and timely input in the development of regulatory policies on matters that significantly or uniquely affect their communities."

Today's rule does not significantly or uniquely affect the communities of Indian tribal governments, because the Albuquerque maintenance plan does not affect Indian lands, or impose any requirements on tribal governments. Accordingly, the requirements of section 3(b) of E.O. 13084 do not apply to this rule.

#### E. Regulatory Flexibility Act

The Regulatory Flexibility Act, 5 U.S.C. 600 *et seq.*, generally requires an agency to conduct a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and small governmental jurisdictions. This final rule will not have a significant impact on a substantial number of small entities because SIP approvals under section 110 and subchapter I, part D of the Act do not create any new requirements but simply approve requirements that the State is already imposing. Therefore, because the Federal SIP approval does not create any new requirements, I certify that this action will not have a

significant economic impact on a substantial number of small entities. Moreover, due to the nature of the Federal-State relationship under the Act, preparation of a flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The Act forbids EPA to base its actions concerning SIPs on such grounds. *See Union Electric Co. v. U.S. EPA*, 427 U.S. 246, 255-66 (1976); 42 U.S.C. 7410(a)(2).

#### F. Unfunded Mandates

Under section 202 of the Unfunded Mandates Reform Act of 1995, 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 annual 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.

The EPA has determined that the approval action promulgated does not include a Federal mandate that may result in estimated annual 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 requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

#### G. Submission to Congress and the Comptroller General

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. The EPA will submit 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 United States prior to publication of the rule in the **Federal Register**. A major rule can not take effect until 60 days after it is published in the **Federal Register**. This action is not a "major" rule as defined by 5

U.S.C. 804(2). This rule will be effective February 18, 2000.

*H. Petitions for Judicial Review*

Under section 307(b)(1) of the Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by February 18, 2000. 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, Intergovernmental relations.

Dated November 26, 1999.

**Carl E. Edlund,**  
*Acting Regional Administrator.*

Part 52, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

**PART 52—[AMENDED]**

1. The authority citation for Part 52 continues to read as follows:

*Authority:* 42 U.S.C. 7401 *et seq.*

**Subpart GG—New Mexico**

2. In § 52.1620(e) the first table is amended by adding an entry to the end of the table to read as follows:

**§ 52.1620 Identification of plan.**

\* \* \* \* \*  
(e) \* \* \*

**EPA APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE NEW MEXICO SIP**

Name of SIP provision	Applicable geographic or nonattainment area	State submittal/Effective date	EPA approval date	Explanation
* * * * *	* * * * *	* * * * *	* * * * *	* * * * *
Revision approving request for redesignation, vehicle I/M program, and required maintenance plan.	Albuquerque CO maintenance plan.	February 4, 1999	December 20, 1999 [FR 71027]	Revision to maintenance plan budgets.

[FR Doc. 99-32174 Filed 12-17-99; 8:45 am]  
BILLING CODE 6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[IN114-1a; FRL-6500-9]

**Approval and Promulgation of Implementation Plan; Indiana Volatile Organic Compound Rules**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Direct final rule.

**SUMMARY:** On August 18, 1999, the State of Indiana submitted a State Implementation Plan (SIP) revision request concerning amendments to Indiana's automobile refinishing rules for Lake, Porter, Clark, and Floyd Counties, and new Volatile Organic Compound (VOC) control measures including Stage I gasoline vapor recovery and automobile refinishing spray-gun requirements for Vanderburgh County. This rulemaking action approves, using the direct final process, the Indiana SIP revision request.

**DATES:** This rule is effective on February 18, 2000, unless EPA receives adverse written comments by January 19, 2000. If adverse comment is received, EPA will publish a timely withdrawal of the rule in the **Federal Register** and inform

the public that the rule will not take effect.

**ADDRESSES:** Written comments should be sent to: J. Elmer Bortzer, Chief, Regulation Development Section, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

Copies of the revision request for this rulemaking action are available for inspection at the following address: U.S. Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. (It is recommended that you telephone Mark J. Palermo at (312) 886-6082 before visiting the Region 5 Office.)

**FOR FURTHER INFORMATION CONTACT:** Mark J. Palermo, Environmental Protection Specialist, at (312) 886-6082.

**SUPPLEMENTARY INFORMATION:**

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- I. What is EPA approving in this rule?
- II. Automobile Refinishing Amendments.
  - What are the existing SIP requirements for automobile refinishing?
  - What changes did Indiana make to the automobile refinishing rule?
  - Why are the changes approvable?
- III. Vanderburgh County VOC Control Rules.
  - Why were VOC control rules submitted for Vanderburgh County?
  - What control measures do the rules require?
    - A. Stage I Gasoline Vapor Control
    - B. Automobile Refinishing Spray-gun Control

Why are the rules approvable?  
IV. Rulemaking Action.

V. Administrative Requirements.

- A. Executive Order 12866
- B. Executive Order 13132
- C. Executive Order 13045
- D. Executive Order 13084
- E. Regulatory Flexibility Act
- F. Unfunded Mandates
- G. Submission to Congress and the Comptroller General
- H. National Technology Transfer and Advancement Act

I. Petitions for Judicial Review

Throughout this document wherever "we," "us," or "our" are used, we mean EPA.

**I. What Is EPA Approving in This Rule?**

We are approving amendments to Indiana's automobile refinishing rules for Lake, Porter, Clark, and Floyd Counties, and new rules for Stage I gasoline vapor recovery and automobile refinishing spray-gun requirements for Vanderburgh County. Our approval makes these rules part of the federally enforceable SIP.

**II. Automobile Refinishing Amendments**

*What Are the Existing SIP Requirements for Automobile Refinishing?*

326 Indiana Administrative Code (IAC) 8-10 provides VOC control requirements for facilities which refinish motor vehicles or mobile equipment in Lake, Porter, Clark, and Floyd Counties. The rule also regulates the suppliers of refinishing coatings to those facilities. EPA approved the rule