

Area served	Federal records center
The entire Federal Government personnel records of separated Federal employees; medical and pay records of all Federal employees; designated medical records of Army and Air Force military personnel and their dependents; and records of agencies in the St. Louis area (Missouri only), of Scott AFB, IL, and of the Memphis Service Center, Internal Revenue Service.	National Personnel Records Center (Civilian Personnel Records), 111 Winnebago St., St. Louis, MO 63118-4199.
National collection of long term records ..... Maine, Vermont, New Hampshire, Massachusetts, Connecticut, and Rhode Island.	Federal Records Center, 100 Dan Fox Dr., Pittsfield, MA 01201-8230. Federal Records Center, 380 Trapelo Rd., Waltham, MA 02154-6399.
New York, New Jersey, Puerto Rico, and the Virgin Islands .....	Federal Records Center, Military Ocean Terminal, Bldg. 22, Bayonne, NJ 07002-5388.
Delaware, Pennsylvania, and U.S. court records for Maryland, Virginia, and West Virginia.	Federal Records Center, 14700 Townsend Rd., Philadelphia, PA 19154-1025.
North Carolina, South Carolina, Tennessee, Mississippi, Alabama, Georgia, Florida, and Kentucky.	Federal Records Center, 1557 St. Joseph Ave., East Point, GA 30344-2593.
Illinois, Wisconsin, Minnesota, and U.S. court records for Indiana, Michigan, and Ohio.	Federal Records Center, 7358 S. Pulaski Rd., Chicago, IL 60629-5898.
Indiana, Michigan, and Ohio except for U.S. court records .....	Federal Records Center, 3150 Springboro Drive, Dayton, OH 45439-1883.
Kansas, Iowa, Nebraska, and Missouri except greater St. Louis area ....	Federal Records Center, 2312 E. Bannister Rd., Kansas City, MO 64131-3060.
Texas, Oklahoma, Arkansas, Louisiana, and New Mexico ..... Colorado, Wyoming, Utah, Montana, North Dakota, and South Dakota	Federal Records Center, P.O. Box 6216, Fort Worth, TX 76115-0216. Federal Records Center, Denver Federal Center Bldg. 48, P.O. Box 25307, Denver, CO 80225-0307.
Nevada except Clark County, California except southern California, American Samoa.	Federal Records Center, 1000 Commodore Dr., San Bruno, CA 94066-2350.
Arizona; Clark County, Nevada, and southern California (counties of San Luis Obispo, Kern, San Bernadino, Santa Barbara, Ventura, Orange, Los Angeles, Riverside, Inyo, Imperial, and San Diego).	Federal Records Center, 24000 Avila Rd., P.O. Box 6719, Laguna Niguel, CA 92607-6719.
Washington, Oregon, Idaho, Alaska, Hawaii, and Pacific Ocean area (except American Samoa).	Federal Records Center, 6125 Sand Point Way NE., Seattle, WA 98115-7999.

5. Section 1228.164 is amended by revising paragraph (c) to read as follows:

**§ 1228.164 Disposal clearances for records in Federal records centers.**

\* \* \* \* \*

(c) Other records of Federal agencies held by Federal records centers will be destroyed with the concurrence of the agency concerned by use of NA Form 13001, Notice of Intent to Destroy Records, or other written concurrence for each disposal action. If an agency is notified of the eligibility of its records for disposal and the agency fails to respond to this notification within 90 calendar days, the records will be destroyed in accordance with the appropriate disposition authority. If an agency does not concur in the scheduled destruction of an accession, the agency may request extended retention of the records for up to an additional 6 months by submitting written justification, including a new disposal date, within 90 days to the records center director. Further extensions must be requested in accordance with § 1228.54 of this part.

Dated: December 27, 1995  
John W. Carlin,  
*Archivist of the United States.*  
[FR Doc. 96-10888 Filed 5-1-96; 8:45 am]  
BILLING CODE 7515-01-P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[CA 070-0001a; FRL-5451-9]

**Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, San Joaquin Valley Unified Air Pollution Control District**

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

**ACTION:** Direct final rule.

**SUMMARY:** EPA is taking direct final action on revisions to the California State Implementation Plan (SIP). The revisions concern rules from the San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD). This approval action will incorporate these rules into the federally approved SIP. The intended effect of approving these rules is to regulate emissions of volatile organic compounds (VOCs) in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). The rules control VOC emissions from the transfer of gasoline into stationary storage containers, delivery vessels, bulk plants, and vehicle fuel tanks. Thus, EPA is finalizing the approval of these revisions into the California SIP under

provisions of the CAA regarding EPA action on SIP submittals, SIPs for national primary and secondary ambient air quality standards and plan requirements for nonattainment areas.

**DATES:** This action is effective on July 1, 1996, unless adverse or critical comments are received by June 3, 1996. If the effective date is delayed, a timely notice will be published in the Federal Register.

**ADDRESSES:** Copies of the rule revisions and EPA's evaluation report for each rule are available for public inspection at EPA's Region IX office during normal business hours. Copies of the submitted rules are available for inspection at the following locations:

Rulemaking Section (A-5-3), Air and Toxics Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105.

Environmental Protection Agency, Air Docket (6102), 401 "M" Street, S.W., Washington, D.C. 20460.

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

San Joaquin Valley Unified Air Pollution Control District, 1999 Tuolumne Street, Fresno, CA 93721.

**FOR FURTHER INFORMATION CONTACT:** Christine Vineyard, Rulemaking Section (A-5-3), Air and Toxics Division, U.S.

Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105, Telephone: (415) 744-1197.

#### SUPPLEMENTARY INFORMATION:

##### Applicability

The SJVUAPCD rules being approved into the California SIP include: Rule 4621, Gasoline Transfer into Stationary Storage containers, Delivery Vessels, and Bulk Plants, and Rule 4622, Transfer of Gasoline into Vehicle Fuel Tanks. These rules were submitted by the California Air Resources Board (CARB) to EPA on November 18, 1993 and May 24, 1994, respectively.

##### Background

On March 3, 1978, EPA promulgated a list of ozone nonattainment areas under the provisions of the Clean Air Act, as amended in 1977 (1977 Act or pre-amended Act), that included the San Joaquin Valley Air Basin which includes the following eight air pollution control districts (APCDs): Fresno County APCD, Kern County APCD,<sup>1</sup> King County APCD, Madera County APCD, Merced County APCD, San Joaquin County APCD, Stanislaus County APCD, and Tulare County APCD. 43 FR 8964, 40 CFR 81.305. The SJVUAPCD has authority over the San Joaquin Valley Air Basin which includes all the above eight counties except for the Southeast Desert Air Basin portion of Kern County. Because these areas were unable to meet the statutory attainment date of December 31, 1982, California requested under section 172(a)(2), and EPA approved, an extension of the attainment date to December 31, 1987.<sup>2</sup> On May 26, 1988, EPA notified the Governor of California, pursuant to section 110(a)(2)(H) of the 1977 Act, that the above districts' portions of the California SIP were inadequate to attain and maintain the ozone standard and requested that deficiencies in the existing SIP be corrected (EPA's SIP-Call). On November 15, 1990, the Clean Air Act Amendments of 1990 were enacted. Pub. L. 101-549, 104 Stat. 2399, codified at 42 U.S.C. 7401-7671q. In amended section 182 (a)(2)(A) of the CAA, Congress statutorily adopted the

<sup>1</sup> At that time, Kern County included portions of two air basins: the San Joaquin Valley Air Basin and the Southeast Desert Air Basin. The San Joaquin Valley Air Basin portion of Kern County was designated as nonattainment, and the Southeast Desert Air Basin portion of Kern County was designated as unclassified. See CFR 81.305 (1991).

<sup>2</sup> This extension was not requested for the following counties: Kern, Kings, Madera, Merced and Tulare. Thus, the attainment date for these counties remained December 31, 1982.

requirement that nonattainment areas fix their deficient reasonably available control technology (RACT) rules for ozone and established a deadline of May 15, 1991 for states to submit corrections of those deficiencies.

Section 182 (a)(2)(A) applies to areas designated as nonattainment prior to enactment of the amendments and classified as marginal or above as of the date of enactment. It requires such areas to adopt and correct RACT rules pursuant to pre-amended section 172 (b) as interpreted in pre-amendment guidance.<sup>3</sup> EPA's SIP-Call used that guidance to indicate the necessary corrections for specific nonattainment areas. The San Joaquin Valley Air Basin is classified as serious<sup>4</sup>; therefore, this area was subject to the RACT fix-up requirement and the May 15, 1991 deadline.

The State of California submitted many revised RACT rules for incorporation into its SIP on November 18, 1993 and May 24, 1994, including the rules being acted on in this document. This document addresses EPA's direct-final action for SJVUAPCD Rule 4621, Gasoline Transfer into Stationary Storage Containers, Delivery Vessels, and Bulk Plants, and Rule 4622, Transfer of Gasoline into Vehicle Fuel Tanks. SJVUAPCD adopted Rule 4621 on May 20, 1993 and Rule 4622 on February 17, 1994. These submitted rules were found to be complete on December 23, 1993 and July 14, 1994, respectively, pursuant to EPA's completeness criteria that are set forth in 40 CFR part 51, Appendix V<sup>5</sup> and are being finalized for approval into the SIP.

Rule 4621 limits VOC emissions from the transfer of gasoline into stationary storage containers, delivery vessels, and gasoline bulk plants. Rule 4622 limits VOC emissions in gasoline vapors during the transfer of gasoline into vehicle fuel tanks. VOCs contribute to the production of ground level ozone and smog. These rules were originally

<sup>3</sup> Among other things, the pre-amendment guidance consists of those portions of the proposed Post-1987 ozone and carbon monoxide policy that concern RACT, 52 FR 45044 (November 24, 1987); "Issues Relating to VOC Regulation Cutpoints, Deficiencies, and Deviations, Clarification to Appendix D of November 24, 1987 Federal Register Notice" (Blue Book) (notice of availability was published in the Federal Register on May 25, 1988); and the existing control technique guidelines (CTGs).

<sup>4</sup> The San Joaquin Valley Air Basin was retained its designation of nonattainment and was classified by operation of law pursuant to sections 107(d) and 181(a) upon the date of enactment of the CAA. See 55 FR 56694 (November 6, 1991).

<sup>5</sup> EPA adopted the completeness criteria on February 16, 1990 (55 FR 5830) and, pursuant to section 110(k)(1)(A) of the CAA, revised the criteria on August 26, 1991 (56 FR 42216).

adopted as part of SJVUAPCD's effort to achieve the National Ambient Air Quality Standard (NAAQS) for ozone and in response to EPA's SIP-Call and the section 182 (a)(2)(A) CAA requirement. The following is EPA's evaluation and final action for these rules.

##### EPA Evaluation and Action

In determining the approvability of a VOC rule, EPA must evaluate the rule for consistency with the requirements of the CAA and EPA regulations, as found in section 110 and part D of the CAA and 40 CFR part 51 (Requirements for Preparation, Adoption, and Submittal of Implementation Plans). The EPA interpretation of these requirements, which forms the basis for today's action, appears in the various EPA policy guidance documents listed in footnote 1. Among those provisions is the requirement that a VOC rule must, at a minimum, provide for the implementation of RACT for stationary sources of VOC emissions. This requirement was carried forth from the pre-amended Act.

For the purpose of assisting state and local agencies in developing RACT rules, EPA prepared a series of Control Technique Guideline (CTG) documents. The CTGs are based on the underlying requirements of the Act and specify the presumptive norms for what is RACT for specific source categories. Under the CAA, Congress ratified EPA's use of these documents, as well as other Agency policy, for requiring States to "fix-up" their RACT rules. See section 182(a)(2)(A). The CTG applicable to Rule 4621 is entitled, Control of Volatile Organic Emissions from Bulk Gasoline Plants, EPA-450/2-77-035; and Control of Volatile Organic Compound Leaks from Gasoline Tank Trucks and Vapor Collection Systems, EPA-450/2-78-051. Rule 4622 was compared to EPA's draft model Stage II Rule, dated August 17, 1992. Further interpretations of EPA policy are found in the Blue Book, referred to in footnote 1. In general, these guidance documents have been set forth to ensure that VOC rules are fully enforceable and strengthen or maintain the SIP.

SJVUAPCD's submitted Rule 4621, Gasoline Transfer into Stationary Storage Containers, Delivery Vessels, and Bulk Plants includes the following significant changes from the current SIP, Rule 411.1, Storage of Gasoline into Stationary Storage Containers:

- The scope of the rule was expanded to include delivery vessels and bulk plants.
- The definitions section was expanded for rule clarity.

- The exemption section was revised to include a limited exemption for delivery vessels.

- A requirement was added for gasoline bulk plants.
- Recordkeeping and test method requirements were added.

- The compliance schedule was revised.

SJVUAPCD Rule 4622, Transfer of Gasoline into Vehicle Fuel Tanks, includes the following significant changes from the current SIP Rule 411.2:

- An applicability and purpose statement was added to the rule for clarity.

- The definitions section was expanded.

- Recordkeeping and test method requirements were added.

- The compliance schedule was revised.

SJVUAPCD Rules 4621 and 4622 were amended and renumbered several times. A detailed description and history of each rule is contained in the associated technical support document, dated February 8, 1996.

EPA has evaluated the submitted rules and has determined that they are consistent with the CAA, EPA regulations, and EPA policy. Therefore, SJVUAPCD Rule 4621, Gasoline Transfer into Stationary Storage Containers, Delivery Vessels, and Bulk Plants, and Rule 4622, Transfer of Gasoline into Vehicle Fuel Tanks are being approved under section 110(k)(3) of the CAA as meeting the requirements of section 110(a) and part D.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future 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.

EPA is publishing this document without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. However, in a separate document in this Federal Register publication, the EPA is proposing to approve the SIP revision should adverse or critical comments be filed. This action will be effective July 1, 1996, unless, by June 3, 1996, adverse or critical comments are received.

If the EPA receives such comments, this action will be withdrawn before the effective date by publishing a subsequent notice 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. The 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 July 1, 1996.

#### Regulatory Process

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 population of less than 50,000.

SIP approvals under sections 110 and 301(a) and subchapter I, Part D of the CAA 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, I certify 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 regulatory flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The CAA forbids EPA to base its actions concerning SIPs on such grounds.

*Union Electric Co. v. U.S. E.P.A.*, 427 U.S. 246, 256-66 (S. Ct. 1976); 42 U.S.C. 7410 (a)(2).

#### Unfunded Mandates

Under Sections 202, 203, and 205 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, EPA must undertake various actions in association with proposed or final rules that include a Federal mandate that may result in estimated costs of \$100 million or more to the private sector or to State, local, or tribal governments in the aggregate.

Through submission of this state implementation plan or plan revision, the State and any affected local or tribal governments have elected to adopt the program provided for under Part D of the Clean Air Act. These rules may bind State, local, and tribal governments to perform certain actions and also require the private sector to perform certain duties. The rules being approved by this action will impose no new requirements because affected sources are already

subject to these regulations under State law. Therefore, no additional costs to State, local, or tribal governments or to the private sector result from this action. EPA has also determined that this final action does not include a mandate that may result in estimated costs of \$100 million or more to State, local, or tribal governments in the aggregate or to the private sector.

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 Executive Order 12866 review.

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Ozone, 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: March 24, 1996.

Felicia Marcus,

*Regional Administrator.*

Subpart F of 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 F—California

2. Section 52.220 is amended by adding paragraphs (c)(194)(i)(C)(2) and (197)(i)(C) to read as follows:

#### § 52.220 Identification of plan.

\* \* \* \* \*

(c) \* \* \*

(194) \* \* \*

(i) \* \* \*

(C) \* \* \*

(2) Rule 4621, adopted on May 20, 1993.

\* \* \* \* \*

(197) \* \* \*

(i) \* \* \*

(C) San Joaquin Valley Unified Air Pollution Control District.

(I) Rule 4622, adopted on February 17, 1994.

\* \* \* \* \*

[FR Doc. 96-10565 Filed 5-1-96; 8:45 am]

BILLING CODE 6560-50-W

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MM Docket No. 92-195; RM-7091, RM-7146, RM-8123, RM-8124]

#### Radio Broadcasting Services; Beverly Hills, Chiefland, Holiday, Micanopy, Sarasota, FL

AGENCY: Federal Communications Commission.

ACTION: Final rule.

**SUMMARY:** This document dismisses an Application for Review filed by Dickerson Broadcasting, Inc. directed to an earlier action denying its Petition for Reconsideration. See 58 FR 17349 (April 2, 1993). Dickerson contended that the Class 3C FM channel at Beverly Hills was allotted without adequate notice. With this action, the proceeding is terminated.

**EFFECTIVE DATE:** May 2, 1996.

**FOR FURTHER INFORMATION CONTACT:** Robert Hayne, Mass Media Bureau, (202) 776-1654.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Memorandum Opinion and Order*, MM Docket No. 92-195, adopted March 21, 1996, and released April 16, 1996. The full text of this decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, (202) 857-3800, 2100 M Street, NW., Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Douglas W. Webbink,

Chief, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 96-9796 Filed 5-01-96; 8:45 am]

BILLING CODE 6712-01-F

### 47 CFR Part 73

[MM Docket No. 95-77; RM-8616]

#### Television Broadcasting Services; Virginia Beach, VA

AGENCY: Federal Communications Commission.

ACTION: Final rule.

**SUMMARY:** The Commission, at the request of Lockwood Broadcasting, Inc., allots UHF Channel 21 to Virginia Beach, Virginia, as an additional television service. See 60 FR 31278, June 14, 1995. Channel 21+ can be allotted to Virginia Beach consistent with the minimum distance separation requirements of Sections 73.610 and 73.698 of the Commission's Rules with a site restriction of 4.0 kilometers (2.5 miles) south to avoid the ATV freeze zone surrounding Washington, DC. The coordinates for Channel 21+ at Virginia Beach are 36-48-38 and 75-58-30. With this action, this proceeding is terminated.

**EFFECTIVE DATE:** June 10, 1996.

**FOR FURTHER INFORMATION CONTACT:** Pam Blumenthal, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Report and Order*, MM Docket No. 95-77, adopted March 25, 1996, and released April 24, 1996. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, ITS, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Television broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

#### PART 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

Authority: Secs. 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

#### § 73.606 [Amended]

2. Section 73.606(b), the Table of TV Allotments under Virginia, is amended by adding Channel 21+ at Virginia Beach.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 96-10853 Filed 5-1-96; 8:45 am]

BILLING CODE 6712-01-F

### 47 CFR Part 80

[FCC 96-156]

#### Conforming the Maritime Service Rules to the Provisions of the Telecommunications Act of 1996

AGENCY: Federal Communications Commission.

ACTION: Final rule.

**SUMMARY:** This action amends the maritime service rules, consistent with the statutory mandate of the 1996 Telecommunications Act, to eliminate the radiotelegraph carriage requirement for vessels equipped in accordance with the Global Maritime Distress and Safety System (GMDSS). The effect of this rule is to reduce economic burdens for vessel operators and increase safety at sea by promoting the carriage of GMDSS radio installations.

**EFFECTIVE DATE:** June 3, 1996.

**FOR FURTHER INFORMATION CONTACT:** Roger Noel of the Commission's Wireless Telecommunications Bureau at (202) 418-0680 or via email at rnoel@fcc.gov.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Order, FCC 96-156, adopted April 5, 1996, and released April 12, 1996. The full text of this Order is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239) 1919 M Street NW., Washington, DC. The complete text may be purchased from the Commission's copy contractor, ITS, Inc., 2100 M Street NW., Suite 140, Washington, DC 20037, telephone (202) 857-3800.

Summary of Order

1. Prior to the enactment of the Telecommunications Act of 1996, Section 351 of the Communications Act required passenger vessels and large cargo vessels to be equipped with a manual Morse code radiotelegraph installation when navigating in the open sea or on international voyages. In 1988, the international maritime community agreed to replace the radiotelegraph as the required installation with the GMDSS—an automated ship-shore distress and safety radio communications system that relies on satellites and advanced terrestrial systems. Accordingly, in the Report and