

because Oregon has demonstrated compliance with the requirements of section 107(d)(3)(E) for redesignation. EPA is also proposing to approve Oregon's 1990 base year and 1991 (periodic) emissions inventories.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any SIP. Each request for revision to the SIP shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

V. Administrative Review

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.

The CO SIP is designed to satisfy the requirements of part D of the CAA and to provide for attainment and maintenance of the CO NAAQS. This proposed redesignation should not be interpreted as authorizing or proposing to authorize Oregon to delete, alter, or rescind any of the CO emission limitations and restrictions contained in the approved CO SIP. Changes to CO SIP regulations rendering them less stringent than those contained in the EPA approved plan cannot be made unless a revised plan for attainment and maintenance is submitted to and approved by EPA. Unauthorized relaxations, deletions, and changes could result in both a finding of nonimplementation (section 179(a) of the CAA) and in a SIP deficiency call made pursuant to sections 110(a)(2)(H) and 110(k)(2) of the CAA.

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 CAA forbids EPA to base its actions concerning SIPs on such grounds. *Union Electric Co. v. U.S. EPA*, 27 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 the private sector, of \$100 million or more. Under section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the proposed action 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 requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

Authority: 42 U.S.C. 7401-7671q.

List of Subjects

40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Ozone.

40 CFR Part 81

Environmental protection, Air pollution control, National parks, Wilderness areas.

Dated: May 27, 1997.

Chuck Clarke,

Regional Administrator.

[FR Doc. 97-14941 Filed 6-6-97; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 63

[AD-FRL-5836-7]

National Emission Standards for Hazardous Air Pollutants; Final Standards for Hazardous Air Pollutant Emissions From Wood Furniture Manufacturing Operations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed amendments to final rule.

SUMMARY: This action proposes amendments to the National Emission Standards for Hazardous Air Pollutants; Final Standards for Hazardous Air Pollutant Emissions from Wood Furniture Manufacturing Operations promulgated in the **Federal Register** on December 7, 1995 (60 FR 62930). This action proposes to revise the definition of wood furniture component to exclude foam seat cushions not made at a wood furniture manufacturing facility from this definition, and therefore, from the requirements of this national emission standards for hazardous air pollutants (NESHAP). Because the proposed revisions clarify the applicability of the final rule to eliminate potential overlapping requirements with other NESHAP, the EPA does not anticipate receiving adverse comments. Consequently, these proposed revisions also are being issued as a direct final rule in the final rules section of this **Federal Register**. If no significant and timely comments are received, no further action will be taken with respect to this proposal and the direct final rule will become final on the date provided in that action.

DATES: Comments on these proposed changes must be received on or before July 9, 1997. Anyone requesting a public hearing must contact the EPA no later than June 20, 1997. If a hearing is held, it will take place on July 7, 1997 beginning at 10:00 a.m.

ADDRESSES: Interested parties may submit written comments (in duplicate, if possible) on the proposed changes to

the NESHAP to: Air and Radiation Docket and Information Center (6102), Attention, Docket No. A-93-10, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460. If a public hearing is held, it will be held at the EPA's Office of Administration Auditorium, Research Triangle Park, North Carolina. Persons interested in attending the hearing or wishing to present oral testimony should notify Ms. Kim Teal, U.S. Environmental Protection Agency, Research Triangle Park, NC 27711, telephone (919) 541-5580.

FOR FURTHER INFORMATION CONTACT: For information concerning the standards and the proposed changes, contact Mr. Paul Almodóvar, Coatings and Consumer Products Group, Emission Standards Division (MD-13), U.S. Environmental Protection Agency, Research Triangle Park, NC 27711; telephone (919) 541-0283. For information regarding the applicability of this action to a particular entity, contact Mr. Robert Marshall, Manufacturing Branch, Office of Compliance, (2223A), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460; telephone (202) 564-7021.

SUPPLEMENTARY INFORMATION:

Electronic Comment Submission

Comments on the proposed changes to the NESHAP also may be submitted electronically by sending electronic mail (e-mail) to: a-and-r-docket@epamail.epa.gov. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments also will be accepted on diskette in WordPerfect 5.1 or ASCII file format. All comments in electronic form must be identified by the docket number A-93-10. No confidential business information should be submitted through e-mail. Electronic comments may be filed online at many Federal Depository Libraries.

For additional information, see the direct final rule published in the Rules section of this **Federal Register**.

List of Subjects in 40 CFR Part 63

Environmental protection, Air pollution control, Hazardous substances, Reporting and recordkeeping requirements, Wood furniture manufacturing.

Dated: May 30, 1997.

Carol M. Browner,
Administrator.

[FR Doc. 97-14989 Filed 6-6-97; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 148, 261, 266, 268, and 271

[FRL-5837-8]

RIN 2050-AE05

Land Disposal Restrictions: Extension of Comment Period on Land Disposal Restrictions, Phase IV, Second Supplemental Proposal on Treatment Standards for Metal Wastes and Mineral Processing Wastes, Mineral Processing and Bevill Exclusion Issues, and the Use of Hazardous Waste as Fill

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule: extension of comment period.

SUMMARY: EPA is extending the public comment period on the Second Supplemental Phase IV proposal (62 FR 26041, May 12, 1997) for 30 days beyond the original 60-day comment period.

DATES: Public comments must be submitted to EPA by August 12, 1997.

ADDRESSES: To submit comments, the public must send an original and two copies to Docket Number F-97-2P4P-FFFFF, located at the RCRA Docket. The mailing address is: RCRA Information Center (5305G), Office of Solid Waste, U.S. Environmental Protection Agency Headquarters, 401 M Street, S.W., Washington, D.C. 20460. Hand deliveries of comments should be made to the RCRA Information Center at Crystal Gateway 1, 1235 Jefferson Davis Highway, First Floor, Arlington, Virginia. The phone number is (703) 603-9230. Commenters must place Docket Number F-97-2P4P-FFFFF on their comments.

In an effort to reduce unnecessary paper use, EPA is asking prospective commenters to voluntarily submit one copy of their comments, in addition to the paper copy, in either of two electronic methods: diskettes or the Internet. Commenters can send their comments to the RCRA Information Center on labeled personal computer diskettes in ASCII (TEXT) format or a word processing format that can be converted to ASCII (TEXT). It is essential to specify on the disk label the word processing software and version/edition as well as the commenter's name. Please use mailing envelopes designed to physically protect the submitted diskettes. To send copies by Internet, address them to: rcra-docket@epamail.epa.gov. All comments sent by Internet must be ASCII files,

avoiding the use of special characters and any form of encryption. Comments in electronic format should also be identified by the docket number F-97-2P4P-FFFFF.

Commenters should not submit electronically any confidential business information (CBI). EPA emphasizes that submission of comments electronically is not mandatory, nor will it result in any advantage or disadvantage to any commenter. For further information on the electronic submission of diskettes, contact Sue Slotnick at the Waste Treatment Branch, (703) 308-8462, or Rhonda Minnick at (703) 308-8771.

FOR FURTHER INFORMATION CONTACT: For general information or to order paper copies of this **Federal Register** document, contact the RCRA Hotline Monday through Friday between 9:00 a.m. and 6:00 p.m. EST, toll free at (800) 424-9346; or (703) 412-9810 from Government phones or if in the Washington, D.C. local calling area; or (800) 553-7672 for the hearing impaired. Questions can also be directed to the Waste Treatment Branch (5302W), Office of Solid Waste (OSW), U.S. Environmental Protection Agency, 401 M Street S.W., Washington, D.C. 20460, phone (703) 308-8434; or call Sue Slotnick, Waste Treatment Branch staff, (703) 308-8462.

SUPPLEMENTARY INFORMATION: On August 22, 1995, EPA proposed the Phase IV Land Disposal Restrictions rule (60 FR 43654) containing proposed treatment standards for newly listed and characteristic wastes, among other issues. In the first supplemental proposal (61 FR 2338, January 25, 1996), EPA proposed treatment standards and changes to the definition of solid waste for mineral processing materials. Some of the provisions from these two notices were promulgated in a final rule entitled "Land Disposal Restrictions—Phase IV: Treatment Standards for Wood Preserving Wastes, Paperwork Reduction and Streamlining, Exemptions from RCRA for Certain Processed Materials; and Miscellaneous Hazardous Waste Provisions" (62 FR 25997 May 12, 1997). For other issues raised in the original and first supplemental proposals—metal wastes, mineral processing wastes, and Bevill issues—EPA has presented new options, discussed in the Second Supplemental Proposed Rule (62 FR 26041, May 12, 1997).

The National Mining Association, ASARCO Incorporated, and the Environmental Defense Fund have requested that EPA extend the comment period for the Second Supplemental Proposal, citing the need for more time