

any such request for extension shall be in writing, shall specify the new expiration date, and shall be signed by the Approving Official. If an extension is granted, the State and its subgrantees and contractors may continue to incur costs in accordance with the Highway Safety Plan until the new expiration date, and the due dates for other submissions covered by this subpart shall be based upon the new expiration date. However, in no case shall any extension be deemed to authorize the obligation of additional Federal funds beyond those already obligated to the State, nor shall any extension be deemed to extend the due date for submission of the Annual Report. Only one extension shall be allowed during each fiscal year.

§ 1200.32 Final voucher.

Each State shall submit a final voucher which satisfies the requirements of § 1200.23(a) of this part within 90 days after the expiration of each fiscal year, unless extended in accordance with the provisions of § 1200.31 of this part. The final voucher constitutes the final financial reconciliation for each fiscal year.

§ 1200.33 Annual report.

Within 90 days after the end of the fiscal year, each State shall submit an Annual Report. This report shall describe:

(a) The State's progress in meeting its highway safety goals, using performance measures identified in the Performance Plan. Both baseline and most current level of performance under the performance measure will be given for each goal.

(b) The projects and activities funded during the fiscal year, including an explanation of how each of these projects and activities contributed to meeting the State's highway safety goals.

§ 1200.34 Disposition of unexpended balances.

Any funds which remain unexpended after final reconciliation shall be carried forward, credited to the State's highway safety account for the new fiscal year, and made immediately available for use under the State's new highway safety program, subject to the approval requirements of § 1200.13 of this part. Carry-forward funds must be identified by the program area from which they are removed when they are reprogrammed from the previous fiscal year. Once so identified, such funds are available for use without regard to the program area from which they were carried forward,

unless specially earmarked by the Congress.

§ 1200.35 Post-grant adjustments.

The closeout of a highway safety program in a fiscal year does not affect the ability of NHTSA or FHWA to disallow costs and recover funds on the basis of a later audit or other review or the State's obligation to return any funds due as a result of later refunds, corrections, or other transactions.

§ 1200.36 Continuing requirements.

The following provisions shall have continuing applicability, notwithstanding the closeout of a highway safety program in a fiscal year:

(a) The requirements governing equipment, as provided in § 1200.21 of this part;

(b) The audit requirements and records retention and access requirements of 49 CFR part 18.

PART 1205—HIGHWAY SAFETY PROGRAMS; DETERMINATIONS OF EFFECTIVENESS

2. The authority citation for part 1205 continues to read as follows:

Authority: 23 U.S.C. 402; delegations of authority at 49 CFR 1.48 and 1.50.

3. Section 1205.4 is revised to read as follows:

§ 1205.4 Funding requirements.

A State may use funds made available under 23 U.S.C. 402 to support projects and activities within—

(a) Any National priority program area identified in § 1205.3 of this part; or

(b) Any other highway safety program area that is identified in the Highway Safety Plan required under § 1200.10(b) of this chapter as encompassing a major highway safety problem in the State and for which effective countermeasures have been identified.

§ 1205.5 [Removed]

4. Section 1205.5 is removed.

Issued on: June 23, 1997.

Jane F. Garvey,

Acting Administrator, Federal Highway Administration.

Ricardo Martinez,

Administrator, National Highway Traffic Safety Administration.

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BILLING CODE 4910-59-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[MD033-7157; FRL-5844-3]

Approval and Promulgation of Air Quality Implementation Plans; Maryland 1990 Base Year Emission Inventory; Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule; correcting amendments.

SUMMARY: This document corrects inadvertent errors in amendatory instructions in three direct final rules pertaining to the Maryland 1990 base year emission inventory for ozone.

DATES: Effective June 26, 1997.

FOR FURTHER INFORMATION CONTACT: Rose Quinto at (215) 566-2182 or by e-mail at quinto.rose@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: EPA published a document on September 27, 1996 (61 FR 50715) inadvertently adding a § 52.1075 when that section already existed. The intent of the rule was to amend that section by adding a paragraph (c). That rule was also intended to revise the section heading. On December 3, 1996 (61 FR 64028) and April 23, 1997 (62 FR 19679), EPA published two other documents to amend the same section, but neither document addressed the erroneous "adding" of the already-existing section. This document corrects the erroneous amendatory language in the three documents.

In the direct final rule (FR Docket 96-24524) published in the **Federal Register** on September 27, 1996 (61 FR 50715), on page 50717 in the third column, the second amendatory instruction is corrected to read—"2. Section 52.1075 is amended by adding a paragraph (c) to read as follows:" and the new text is designated as paragraph (c).

In the direct final rule (FR Docket 96-30476) published in the **Federal Register** on December 3, 1996 (61 FR 64028), on page 64029 in the first column, the second amendatory instruction is corrected to read as follows:

"2. Section 52.1075 is amended by revising the heading and adding paragraph (d) to read as follows:" and the new text is designated as paragraph (d).

In the direct final rule (FR Docket 97-10508) published in the **Federal Register** on April 23, 1997. (62 FR 19676) make the following correction—

on page 19679, in the first column, the third amendatory instruction is corrected to read as follows:

"3. Section 52.1075 is amended by adding paragraph (e) to read as follows:" and the new text is designated as paragraph (e).

Administrative Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a "significant regulatory action" and, is therefore not subject to review by the Office of Management and Budget. In addition, this action does not impose any enforceable duty or contain any unfunded mandate as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4), or require prior consultation with State officials as specified by Executive Order 12875 (58 FR 58093, October 28, 1993), or involve special consideration of environmental justice related issues as required by Executive Order 12898 (59 FR 7629, February 16, 1994).

Because this corrective rulemaking action for Maryland's 1990 base year ozone emissions inventory is not subject to notice-and-comment requirements under the Administrative Procedure Act or any other statute, it is not subject to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

Under 5 U.S.C. 801(a)(1)(A) as added by the Small Business Regulatory Enforcement Fairness Act of 1996, EPA submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives and the Comptroller General of the General Accounting Office prior to publication of this rule in today's **Federal Register**. This rule is not a "major rule" as defined by 5 U.S.C. 804(2).

Dated: June 11, 1997.

Stanley L. Laskowski,

Acting, Regional Administrator, Region III.

[FR Doc. 97-16738 Filed 6-25-97; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[IN79-1A; FRL-5848-4]

Approval and Promulgation of State Implementation Plan; Indiana

AGENCY: Environmental Protection Agency.

ACTION: Direct final rule.

SUMMARY: The United States Environmental Protection Agency (USEPA) is approving a February 5,

1997, request from Indiana, for a State Implementation Plan (SIP) revision for the Vanderburgh County ozone nonattainment area. The revision is for a transportation control measure (TCM) to reduce the emissions of volatile organic compounds (VOCs) from motor vehicles by converting city-owned vehicles to compressed natural gas as a fuel. Reductions in VOCs help protect the public's health and welfare by reducing ground level ozone, commonly known as urban smog. High concentrations of ground level ozone can aggravate asthma, cause inflammation of lung tissue, decrease lung function, and impair the body's defenses against respiratory infection.

DATES: This "direct final" rule is effective on August 25, 1997, unless USEPA receives written comments that are adverse or critical by July 28, 1997. If the effective date is delayed, timely notice will be published in the **Federal Register**.

ADDRESSES: Copies of the documents relevant to this action are available for inspection during normal business hours at the following location: Regulation Development Section, Air Programs Branch, (AR-18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois, 60604.

Please contact Patricia Morris at (312) 353-8656 before visiting the Region 5 office.

Written comments should be sent to: J. Elmer Bortzer, Chief, Regulation Development Section, Air Programs Branch, (AR-18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois, 60604.

FOR FURTHER INFORMATION CONTACT: Patricia Morris, Environmental Scientist, Regulation Development Section, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353-8656.

SUPPLEMENTARY INFORMATION:

I. Background

Section 108(e) of the Clean Air Act, as amended in 1990 (Act), provides for transportation-air quality planning guidance for the development and implementation of transportation and other measures necessary to demonstrate and maintain attainment of national ambient air quality standards. Section 108(f)(1)(A) provides a list of transportation control measures with emission reduction potential. The USEPA has further provided guidance in the final report entitled *Transportation Control Measures: State*

Implementation Plan Guidance dated September 1990; and also in *Transportation Control Measure Information Documents* dated March 1992.

Section 108(f)(1)(A) of the Act lists sixteen TCMs for consideration by States and planning agencies to use to reduce emissions and help attain and maintain the national ambient air quality standards. Programs to reduce motor vehicle emissions consistent with title II of the Act are listed in section 108(f)(1)(A)(xii).

II. Evaluation of the State Submittal

On February 5, 1997, Indiana submitted to the USEPA a SIP revision request for Vanderburgh County Transportation Control Measures, specifically, a fleet conversion request. A public hearing was held on March 12, 1997, and documentation on the public hearing was submitted to complete the SIP revision request. The SIP submission was found to be complete by the USEPA in a letter dated April 3, 1997.

The TCM for Vanderburgh County is the conversion of 40-60 city-owned vehicles from using gasoline as a fuel to compressed natural gas. This project is consistent with the title II provisions in section 241 for clean-fuel vehicles, and is thus consistent with section 108(f)(1)(A)(xii) as a program to reduce motor vehicle emissions. Vanderburgh County is currently designated as marginal nonattainment for ozone, but can adopt any and all measures to help reduce ozone precursor pollutants and thus attain and maintain the ozone ambient air quality standard. This TCM is consistent with the measures provided in section 108(f)(1)(A)(xii) of the Act.

The project was formally endorsed by the Evansville Urban Transportation Study (EUTS) Board at its June 18, 1996, public meeting. EUTS is seeking Congestion Mitigation and Air Quality (CMAQ) funds for the project from the Department of Transportation, to be matched with local money.

The SIP revision request provides an estimate of the emission reduction for a fuel conversion of 40 light duty vehicles from the city and county fleets to compressed natural gas. The air quality benefits are estimated utilizing emission test results from the California Air Resources Board and, assuming that each vehicle will average 20,000 miles of use per year with a five year life cycle. The estimated air quality benefit is calculated as 0.141 tons per year of hydrocarbon emissions, 1.225 tons per year of carbon monoxide emissions, and 0.194 tons per year of oxides of nitrogen