

requirements for the Pittsburgh-Beaver Valley ozone nonattainment area.

(B) Revisions to 25 Pa Code, Chapters 121, 126, 139 pertaining to Gasoline Volatility Requirements, effective November 1, 1997.

(I) Revisions to section 121.1—definitions of compliant fuel, distributor, Importer, Low RVP gasoline, Pittsburgh-Beaver Valley Area, RVP-Reid Vapor Pressure.

(2) Addition of sections 126.301(a) through (c), 126.302 except for portions relating to RFG of (a)(6), and 126.303 (a).

(3) Addition of paragraphs 139.4(18) and (19) pertaining to sampling procedures for Reid Vapor Pressure and gasoline volatility.

(ii) Additional Material—Remainder of December 3, 1997 State submittal pertaining to the use of low RVP gasoline.

[FR Doc. 98-15023 Filed 6-5-98; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[TN-184-1-(9812)a; TN-199-1-(9813)a; FRL-6104-1]

Approval and Promulgation of Implementation Plans; Tennessee: Approval of Revisions to the Knox County Portion of the Tennessee SIP Regarding Volatile Organic Compounds (VOCs) and Process Particulate Emissions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is approving revisions to section 19.2 and section 46.2.A.34 of the Knox County portion of the Tennessee State Implementation Plan (SIP) which were submitted to EPA through the Tennessee Department of Air Pollution Control (TDAPC), on December 24, 1996 and June 18, 1997. Section 19.2 is revised to include terminology which more clearly defines the subject matter of this section: process particulate emissions. Section 46.2.A.34 is revised to incorporate by reference the definition for volatile organic compounds (VOCs) contained in 40 CFR part 51, subpart F.

DATES: This final rule is effective August 7, 1998 unless adverse or critical comments are received by July 8, 1998. If adverse comment is received, EPA will publish a timely withdrawal of the rule in the **Federal Register**.

ADDRESSES: Written comments on this action should be addressed to Allison

Humphris at the Environmental Protection Agency, Region 4 Air Planning Branch, 61 Forsyth Street, SW, Atlanta, Georgia 30303. Copies of documents relative to this action are available for public inspection during normal business hours at the following locations. The interested persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before the visiting day. Reference files TN184-01-9812 and TN199-01-9813. The Region 4 office may have additional background documents not available at the other locations.

Air and Radiation Docket and Information Center (Air Docket 6102), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, telephone (202) 260-7549. Environmental Protection Agency, Region 4 Air Planning Branch, 61 Forsyth Street, SW, Atlanta, Georgia 30303. Allison Humphris, 404/562-9030. Tennessee Department of Environment and Conservation, Division of Air Pollution Control, L & C Annex, 9th Floor, 401 Church Street, Nashville, Tennessee 37243-1531. 615/532-0554.

Knox County Department of Air Pollution Control, City-County Building, Suite 339, 400 West Main Street, Knoxville, Tennessee, 37902. 423/215-2488

FOR FURTHER INFORMATION CONTACT: Allison Humphris at 404/562-9030.

SUPPLEMENTARY INFORMATION: The EPA is approving revisions to sections 19.2 and 46.2.A.34 of the Knoxville regulations. Section 19.2 is revised to include terminology which more clearly defines the subject matter of this section: process particulate emissions. Section 46.2.A.34 is revised to incorporate by reference the definition for volatile organic compounds (VOCs) contained in 40 CFR part 51, subpart F.

Section 19.2, "Process Emissions"

This section was revised by changing all references of "process emissions" to "process particulate emissions." The change was made for clarity and to be consistent with the language in section 18.2, "Non-Process Particulate Emissions."

Section 46.2.A.34, "Volatile Organic Compound (VOC)"

The definition of "volatile organic compound" was revised to incorporate by reference the definition contained in 40 CFR part 51, subpart F. EPA exempted acetone (per 60 FR 31633—June 16, 1995), perchloroethylene (per 61 FR 4588—February 7, 1996), and

hydrofluorocarbon (HFC) 43-10mee, hydrochlorofluorocarbon (HCFC) 225ca and cb (all per 61 FR 52848—October 8, 1996) from regulation as VOCs due to the determination that these compounds have negligible photochemical reactivity and do not significantly contribute to the formation of ozone.

Final Action

The Agency has reviewed this request for revision of the Federally-approved State implementation plan for conformance with the provisions of the Clean Air Act amendments enacted on November 15, 1990. The Agency has determined that this action conforms with those requirements. EPA is publishing this rule without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. However, in the proposed rules section of this **Federal Register** publication, EPA is publishing a separate document that will serve as the proposal to approve the SIP revision should relevant adverse comments be filed. This rule will be effective August 7, 1998 without further notice unless the Agency receives relevant adverse comments by July 8, 1998. If the EPA receives such comments, then EPA will publish a notice withdrawing the final rule and informing the public that the rule did not take effect. All public comments received will then be addressed in a subsequent final rule based on the proposed rule. The EPA will not institute a second comment period on the proposed rule. Any parties interested in commenting on the proposed rule should do so at this time. If no such comments are received, the public is advised that this rule will be effective on August 7, 1998 and no further action will be taken on the proposed rule.

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.

Administrative Requirements

A. Executive Order 12866

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 Regional 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) and 7410(k)(3).

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 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 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. 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**. This rule is not a "major rule" as defined by 5 U.S.C. 804(2).

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 7, 1998. 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).)

F. Executive Order 13045

Protection of Children from Environmental Health Risks and Safety Risks. Executive Order 13045 (62 FR 19885, April 23, 1997), applies to any rule that is (1) likely to be "economically significant" as defined under Executive Order 12866, and (2) the Agency has reason to believe that the environmental health or safety risk addressed by the rule may have a disproportionate effect on children. If a 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.

This rule is not subject to E.O. 13045, "Protection of Children from Environmental Health Risks and Safety Risks" because this is not an "economically significant" regulatory action as defined by E.O. 12866, and because it does not involve decisions on

environmental health or safety risks that may disproportionately affect children.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Ozone, Particulate matter, Reporting and recordkeeping requirements.

Dated: April 27, 1998.

A. Stanley Meiburg,

Acting Regional Administrator, Region 4.

Part 52 of chapter I, title 40, *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 RR—Tennessee

2. Section 52.2220, is amended by adding paragraph (c)(161) to read as follows:

§ 52.2220 Identification of plan.

* * * * *

(c) * * *

(161) Revisions to the Knox County portion of the Tennessee state implementation plan submitted to EPA by the State of Tennessee on December 24, 1996 and June 18, 1997, concerning process particulate emissions and volatile organic compounds (VOC) were approved.

(i) Incorporation by reference.

(A) Section 19.2 of the Knox County Air Pollution Control Regulation "Process Particulate Emissions" effective December 11, 1996.

(B) Section 46.2.A.34 of the Knox County Air Pollution Control Regulation "Volatile Organic Compounds" effective June 11, 1997.

(ii) Other material. None.

[FR Doc. 98–15022 Filed 6–5–98; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 52**

[TX95–1–7379a FRL–6104–2]

Approval and Promulgation of Implementation Plan; Texas; Revisions to 30 TAC Chapter 115 for Control of Volatile Organic Emissions From Perchloroethylene Dry Cleaning Systems

AGENCY: Environmental Protection Agency (EPA).