

448, 449, 484, 485, 488, 493, and 499 of the WAC.

3. § 52.2581 paragraphs (a), (b), and (c) are deleted and reserved, and paragraphs (d) and (e) are added as follows:

§ 52.2581 Significant deterioration of air quality.

(a)–(c) [Reserved]

(d) The requirements of sections 160 through 165 of the Clean Air Act are met, except for sources seeking permits to locate in Indian country within the State of Wisconsin; and sources with permits issued by EPA prior to the effective date of the state's rules.

(e) Regulations for the prevention of the significant deterioration of air quality. The provisions of § 52.21(b) through (w) are hereby incorporated and made a part of the applicable state plan for the State of Wisconsin for sources wishing to locate in Indian country; and sources constructed under permits issued by EPA.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[KY–9916; FRL–6343–3]

Approval and Promulgation of Air Quality Implementation Plans; Kentucky; Revised Format for Materials Being Incorporated by Reference

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; notice of administrative change.

SUMMARY: EPA is revising the format of 40 CFR part 52 for materials submitted by the Commonwealth of Kentucky that are incorporated by reference (IBR) into the State Implementation Plan (SIP). The regulations affected by this format change have all been previously submitted by the State agency and approved by EPA.

This format revision will affect the "Identification of Plan" sections of 40 CFR part 52, as well as the format of the SIP materials that will be available for public inspection at the Office of the Federal Register (OFR), the Air and Radiation Docket and Information Center located in Waterside Mall, Washington, D.C., and the Regional Office. The sections of 40 CFR part 52 pertaining to provisions promulgated by EPA or State-submitted materials not

subject to IBR review remain unchanged.

EFFECTIVE DATE: This action is effective May 27, 1999.

ADDRESSES: SIP materials which are incorporated by reference into 40 CFR part 52 are available for inspection at the following locations:

Environmental Protection Agency,
Region 4, 61 Forsyth Street, SW,
Atlanta, GA 30303;
Office of Air and Radiation, Docket and
Information Center (Air Docket), EPA,
401 M Street, SW, Room M1500,
Washington, DC 20460;

and

Office of the Federal Register, 800 North
Capitol Street, NW, Suite 700,
Washington, D.C.

FOR FURTHER INFORMATION CONTACT:

Richard Schutt, Regional SIP
Coordinator at (404) 562–9033, or Karla
McCorkle at (404) 562–9043. Address all
written comments to the Region 4
address listed above.

SUPPLEMENTARY INFORMATION: The
supplementary information is organized
in the following order:

- What is a SIP?
- How EPA enforces SIPs.
- How the State and EPA update the SIP.
- How EPA compiles the SIPs.
- How EPA organizes the SIP Compilation.
- Where you can find a copy of the SIP Compilation.
- The format of the new Identification of Plan Section.
- When a SIP revision become federally enforceable.
- The historical record of SIP revision approvals.
- What EPA is doing in this action.
- How this document complies with the Federal Administrative Requirements for rulemaking.

What Is a SIP?

Each state has a SIP containing the control measures and strategies used to attain and maintain the national ambient air quality standards (NAAQS). The SIP is extensive, containing such elements as air pollution control regulations, emission inventories, monitoring network, attainment demonstrations, and enforcement mechanisms.

How EPA Enforces SIPs

Each state must formally adopt the control measures and strategies in the SIP after the public has had an opportunity to comment on them and then submit the SIP to EPA.

Once these control measures and strategies are approved by EPA, after notice and comment, they are incorporated into the Federally approved SIP and are identified in part

52 (Approval and Promulgation of Implementation Plans), Title 40 of the Code of Federal Regulations (40 CFR part 52). The full text of the state regulation approved by EPA is not reproduced in its entirety in 40 CFR part 52, but is "incorporated by reference." This means that EPA has approved a given state regulation with a specific effective date. The public is referred to the location of the full text version should they want to know which measures are contained in a given SIP. The information provided allows EPA and the public to monitor the extent to which a state implements the SIP to attain and maintain the NAAQS and to take enforcement action if necessary.

How the State and EPA Update the SIP

The SIP is a living document which the State can revise as necessary to address the unique air pollution problems in the State. Therefore, EPA from time to time must take action on SIP revisions containing new and/or revised regulations as being part of the SIP. On May 22, 1997 (62 FR 27968), EPA revised the procedures for incorporating by reference federally-approved SIPs, as a result of consultations between EPA and OFR.

EPA began the process of developing:

1. A revised SIP document for each state that would be incorporated by reference under the provisions of 1 CFR part 51;
2. A revised mechanism for announcing EPA approval of revisions to an applicable SIP and updating both the IBR document and the CFR; and
3. A revised format of the "Identification of Plan" sections for each applicable subpart to reflect these revised IBR procedures.

The description of the revised SIP document, IBR procedures and "Identification of Plan" format are discussed in further detail in the May 22, 1997, **Federal Register** document.

How EPA Compiles the SIPs

The federally-approved regulations and source specific permits (entirely or portions of), submitted by each state agency have been compiled by EPA into a "SIP Compilation." The SIP Compilation contains the updated regulations and source specific permits approved by EPA through previous rule making actions in the **Federal Register**. The compilations are contained in 3-ring binders and will be updated, primarily on an annual basis.

How EPA Organizes the SIP Compilation

Each SIP Compilation contains two parts. Part 1 contains the regulations

and part 2 contains the source specific requirements that have been approved as part of the SIP. Each part has a table of contents identifying each regulation or each source specific permit. The table of contents in the compilation corresponds to the table of contents published in 40 CFR part 52 for each state. The Regional EPA Offices have the primary responsibility for ensuring accuracy and updating the compilations.

Where You Can Find a Copy of the SIP Compilation

The Region 4 EPA Office developed and will maintain the compilation for the Commonwealth of Kentucky. A copy of the full text of each State's current compilation will also be maintained at the Office of Federal Register and EPA's Air Docket and Information Center.

The Format of the New Identification of Plan Section

In order to better serve the public, EPA revised the organization of the "Identification of Plan" section and included additional information to clarify the enforceable elements of the SIP.

The revised Identification of plan section contains five subsections:

- (a) Purpose and scope
- (b) Incorporation by reference
- (c) EPA approved regulations
- (d) EPA approved source specific permits
- (e) EPA approved nonregulatory provisions such as transportation control measures, statutory provisions, control strategies, monitoring networks, etc.

When a SIP Revision Becomes Federally Enforceable

All revisions to the applicable SIP become federally enforceable as of the effective date of the revisions to paragraph (c), (d), or (e) of the applicable identification of plan found in each subpart of 40 CFR part 52.

The Historical Record of SIP Revision Approvals

To facilitate enforcement of previously approved SIP provisions and provide a smooth transition to the new SIP processing system, EPA retains the original Identification of Plan section, previously appearing in the CFR as the first or second section of part 52 for each state subpart. After an initial two year period, EPA will review its experience with the new system and enforceability of previously approved SIP measures, and will decide whether or not to retain the Identification of Plan appendices for some further period.

What EPA Is Doing in This Action

Today's rule constitutes a "housekeeping" exercise to ensure that all revisions to the State programs that have occurred are accurately reflected in 40 CFR part 52. State SIP revisions are controlled by EPA regulations at 40 CFR part 51. When EPA receives a formal SIP revision request, the Agency must publish the proposed revision in the **Federal Register** and provide for public comment before approval.

EPA has determined that today's rule falls under the "good cause" exemption in section 553(b)(3)(B) of the Administrative Procedures Act (APA) which, upon finding "good cause," authorizes agencies to dispense with public participation and section 553(d)(3) which allows an agency to make a rule effective immediately (thereby avoiding the 30-day delayed effective date otherwise provided for in the APA). Today's rule simply codifies provisions which are already in effect as a matter of law in Federal and approved State programs.

Under section 553 of the APA, an agency may find good cause where procedures are "impractical, unnecessary, or contrary to the public interest." Public comment is "unnecessary" and "contrary to the public interest" since the codification only reflects existing law. Immediate notice in the CFR benefits the public by removing outdated citations.

How This Document Complies With the Federal Administrative Requirements for Rule Making

A. Executive Order 12866

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

B. Executive Order 12875

Under E.O. 12875, EPA may not issue a regulation that is not required by statute and that creates a mandate upon a State, local or tribal government, unless the Federal Government provides the funds necessary to pay the direct compliance costs incurred by those governments, or EPA consults with those governments. If EPA complies by consulting, E.O. 12875 requires EPA to provide to the Office of Management and Budget a description of the extent of EPA's prior consultation with representatives of affected State, local and tribal governments, the nature of their concerns, copies of any written communications from the governments, and a statement supporting the need to issue the regulation. In addition, E.O.

12875 requires EPA to develop an effective process permitting elected officials and other representatives of State, local and tribal governments "to provide meaningful and timely input in the development of regulatory proposals containing significant unfunded mandates."

Today's rule does not create a mandate on State, local or tribal governments. The rule does not impose any enforceable duties on these entities. Accordingly, the requirements of section 1(a) of E.O. 12875 do not apply to this rule.

C. 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 Office of Management and Budget, 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. Accordingly, the requirements of section 3(b) of E.O. 13084 do not apply to this rule.

D. Executive Order 13045

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.

This rule is not subject to E.O. 13045 because it does not involve decisions intended to mitigate environmental health or safety risks.

E. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) 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 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 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 Clean Air Act, preparation of 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).

F. 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 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.

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. 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).

H. Petitions for Judicial Review

EPA has also determined that the provisions of section 307(b)(1) of the Clean Air Act pertaining to petitions for judicial review are not applicable to this action. Prior EPA rulemaking actions for each individual component of the Alabama compilation has previously afforded interested parties the opportunity to file a petition for judicial review in the United States Court of Appeals for the appropriate circuit within 60 days of such rulemaking action. Thus, EPA sees no need in this action to reopen the 60-day period for filing such petitions for judicial review.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides.

Dated: March 18, 1999.

Michael V. Peyton,

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 for citation for part 52 continues to read as follows:

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

Subpart S—Kentucky

2. Section 52.920 is redesignated as § 52.939 and the heading and paragraph (a) are revised to read as follows:

§ 52.939 Original identification of plan section.

(a) This section identifies the original "Air Implementation Plan for the Commonwealth Kentucky" and all revisions submitted by Kentucky that were federally approved prior to March 1, 1999.

* * * * *

3. A new § 52.920 is added to read as follows:

§ 52.920 Identification of plan.

(a) Purpose and scope. This section sets forth the applicable State Implementation Plan for Kentucky under section 110 of the Clean Air Act, 42 U.S.C. 7401, and 40 CFR part 51 to meet national ambient air quality standards.

(b) Incorporation by reference.

(1) Material listed in paragraph (c) of this section with an EPA approval date prior to March 1, 1999, was approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Material is incorporated as it exists on the date of the approval, and notice of any change in the material will be published in the **Federal Register**. Entries in paragraph (c) of this section with EPA approval dates after March 1, 1999, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 4 certifies that the rules/regulations provided by EPA in the SIP Compilation at the addresses in paragraph (b)(3) are an exact duplicate of the officially promulgated State rules/regulations which have been approved as part of the State Implementation Plan as of March 1, 1999.

(3) Copies of the materials incorporated by reference may be inspected at the Region 4 EPA Office at 61 Forsyth Street, SW., Atlanta, GA 30303; the Office of Federal Register, 800 North Capitol Street, NW., Suite 700, Washington, DC; or at the EPA, Air and Radiation Docket and Information Center, Air Docket (6102), 401 M Street, SW., Washington, DC 20460.

(c) EPA approved regulations.

EPA-APPROVED KENTUCKY REGULATIONS FOR KENTUCKY

Regulation	Title/subject	State effective date	EPA approval date	Federal Register Notice
Chapter 50 General Administrative Procedures				
401 KAR 50:005	General application	06/06/79	07/12/82	47 FR 30059
401 KAR 50:010	Definitions and abbreviations	06/06/96	01/21/97	62 FR 2916
401 KAR 50:012	General application	11/12/97	07/24/98	63 FR 39739
401 KAR 50:015	Documents incorporated by reference	09/26/88	02/07/90	55 FR 4169
401 KAR 50:020	Air quality control regions	06/06/79	07/12/82	47 FR 30059
401 KAR 50:025	Classification of counties	06/01/83	04/02/96	61 FR 14489
401 KAR 50:030	Registration of sources	06/06/79	07/12/82	47 FR 30059
401 KAR 50:035	Permits	09/28/94	08/27/95	60 FR 49775
401 KAR 50:040	Air quality models	06/06/79	07/12/82	47 FR 30059
401 KAR 50:042	Good engineering practice stack height	06/10/86	09/04/87	52 FR 33592
401 KAR 50:045	Performance test	06/06/79	07/12/82	47 FR 30059
401 KAR 50:047	Test procedures for capture efficiency	06/24/92	06/23/94	59 FR 32343
401 KAR 50:050	Monitoring	06/06/79	07/12/82	47 FR 30059
401 KAR 50:055	General compliance requirements	08/22/82	05/04/89	54 FR 19169
401 KAR 50:060	Enforcement	06/06/79	07/12/82	47 FR 30059
401 KAR 50:065	Conformity of general federal actions	09/11/95	07/27/98	63 FR 40044
Chapter 51 New Source Requirements; Non-Attainment Areas				
401 KAR 51:001	Definitions and abbreviations of terms used in title 401, chapter 51	06/06/96	01/21/97	62 FR 2916
401 KAR 51:005	Purpose and general provision	06/06/79	07/12/82	47 FR 30059
401 KAR 51:010	Attainment status designations	11/12/97	07/24/98	63 FR 39739
401 KAR 51:017	Prevention of significant deterioration of air quality	03/12/97	07/24/98	63 FR 39741
401 KAR 51:052	Review of new sources in or impacting upon nonattainment areas	02/08/93	06/23/94	59 FR 32343
Chapter 53 Ambient Air Quality				
401 KAR 53:005	General provisions	04/14/88	02/07/90	55 FR 4169
401 KAR 53:010	Ambient air quality standard	04/14/88	02/07/90	55 FR 4169
Chapter 55 Emergency Episodes				
401 KAR 55:005	Significant harm criteria	04/14/88	02/07/90	55 FR 4169
401 KAR 55:010	Episode criteria	04/14/88	02/07/90	55 FR 4169
401 KAR 55:015	Episode declaration	06/06/79	01/25/80	45 FR 6092
401 KAR 55:020	Abatement strategies	06/06/79	01/25/80	45 FR 6092
Chapter 59 New Source Standards				
401 KAR 59:001	Definitions & abbreviations used in title 401, chapter 59	06/06/96	01/21/97	62 FR 2916
401 KAR 59:005	General provisions	12/01/82	12/04/86	51 FR 43742
401 KAR 59:010	New process operations	04/14/88	02/07/90	55 FR 4169
401 KAR 59:015	New indirect heat exchangers	01/07/81	03/22/83	48 FR 11945
401 KAR 59:020	New incinerators	01/07/81	07/12/82	47 FR 30059
401 KAR 59:046	Selected new petroleum refining processes and equipment	06/29/79	07/07/81	46 FR 40188
401 KAR 59:050	New storage vessels for petroleum Liquids	02/04/81	03/30/83	48 FR 13168
401 KAR 59:080	New kraft (sulfate) pulp mills	06/06/79	01/25/80	45 FR 6092
401 KAR 59:085	New sulfite pulp mills	06/06/79	07/12/82	47 FR 30059
401 KAR 59:090	New ethylene producing plants	06/06/79	07/12/82	47 FR 30059
401 KAR 59:095	New oil-effluent water separators	06/06/79	08/07/81	46 FR 40188
401 KAR 59:101	New bulk gasoline plants	09/28/94	06/28/96	61 FR 33674
401 KAR 59:105	New process gas streams	04/07/82	03/22/83	48 FR 11945
401 KAR 59:174	Stage II controls at gasoline dispensing facilities	01/12/98	12/08/98	63 FR 67586
401 KAR 59:175	New service stations	02/08/93	06/23/94	59 FR 32343
401 KAR 59:185	New solvent metal cleaning equipment	06/24/92	06/23/94	59 FR 32343
401 KAR 59:190	New insulation of magnet wire operations	06/24/92	06/23/94	59 FR 32343
401 KAR 59:210	New fabric, vinyl and paper surface coating operations	06/24/92	06/23/94	59 FR 32343
401 KAR 59:212	New graphic arts facilities using rotogravure and flexography	06/24/92	06/23/94	59 FR 32343
401 KAR 59:214	New factory surface coating operations of flat wood paneling	06/24/92	06/23/94	59 FR 32343
401 KAR 59:225	New miscellaneous metal parts and products surface coating operations	06/24/92	06/23/94	59 FR 32343
401 KAR 59:230	New synthesized pharmaceutical product manufacturing operations	06/24/92	06/23/94	59 FR 32343
401 KAR 59:235	New pneumatic rubber tire manufacturing plants	02/04/81	03/30/83	48 FR 12168
401 KAR 59:240	New perchloroethylene dry cleaning systems	06/24/92	06/23/94	59 FR 32343
401 KAR 59:315	Specific new sources	06/24/92	06/23/94	59 FR 32343
Chapter 61 Existing Source Standards				
401 KAR 61:001	Definitions & abbreviations of terms used in 401KAR chapter 61	06/06/96	06/19/97	62 FR 2916
401 KAR 61:005	General provisions	12/01/82	05/04/89	54 FR 19169

EPA-APPROVED KENTUCKY REGULATIONS FOR KENTUCKY—Continued

Regulation	Title/subject	State effective date	EPA approval date	Federal Register Notice
401 KAR 61:010	Existing incinerators	06/06/79	05/04/89	54 FR 19169
401 KAR 61:015	Existing indirect heat exchangers	04/01/84	04/02/96	61 FR 14489
401 KAR 61:020	Existing process operations	04/14/88	02/07/90	55 FR 4169
401 KAR 61:025	Existing kraft (sulfate) pulp mills	06/06/79	05/26/82	47 FR 22955
401 KAR 61:030	Existing sulfuric acid plants	06/06/79	03/22/83	48 FR 11945
401 KAR 61:035	Existing process gas streams	04/07/82	03/22/83	48 FR 11945
401 KAR 61:040	Existing ethylene producing plants	06/06/79	01/25/80	45 FR 6092
401 KAR 61:045	Existing oil-effluent water separators	06/29/79	08/07/81	46 FR 40188
401 KAR 61:050	Existing storage vessels for petroleum liquids	06/24/92	06/23/94	59 FR 32345
401 KAR 61:055	Existing loading facilities at bulk gasoline terminals	08/24/82	03/30/83	48 FR 13168
401 KAR 61:056	Existing bulk gasoline plants	09/28/94	06/28/96	61 FR 33674
401 KAR 61:060	Existing sources using organic solvents	06/29/79	01/25/80	45 FR 6092
401 KAR 61:065	Existing nitric acid plants	06/06/79	06/12/82	47 FR 30059
401 KAR 61:070	Existing ferroalloy production facilities	06/06/79	05/03/84	49 FR 18833
401 KAR 61:075	Steel plants and foundries using existing electric arc furnaces	12/01/82	05/04/89	54 FR 19169
401 KAR 61:080	Steel plants and using existing basic oxygen process furnaces	04/01/84	05/04/89	54 FR 19169
401 KAR 61:085	Existing service stations	02/08/93	06/23/94	59 FR 32343
401 KAR 61:090	Existing automobile and light-duty surface coating operations	06/24/92	06/23/94	59 FR 32343
401 KAR 61:095	Existing solvent metal cleaning equipment	06/24/92	06/23/94	59 FR 32343
401 KAR 61:100	Existing insulation of magnet wire operations	06/24/92	06/23/94	59 FR 32343
401 KAR 61:105	Existing metal furniture coating operations	06/24/92	06/23/94	59 FR 32343
401 KAR 61:110	Existing large appliance surface coating operations	06/24/92	06/23/94	59 FR 32343
401 KAR 61:120	Existing fabric, vinyl and paper surface coating operations	06/24/92	06/23/94	59 FR 32343
401 KAR 61:122	Existing graphic arts facilities using rotogravure and flexography	06/24/92	06/23/94	59 FR 32343
401 KAR 61:124	Existing factory surface coating operations of flat wood paneling	06/24/92	06/23/94	59 FR 32343
401 KAR 61:125	Existing can surface coating operations	06/24/92	06/23/94	59 FR 32343
401 KAR 61:130	Existing coil surface coating operations	06/24/92	06/23/94	59 FR 32343
401 KAR 61:132	Existing miscellaneous metal parts and products surface coating operations	06/24/92	06/23/94	59 FR 32343
401 KAR 61:135	Selected existing petroleum refining processes and equipment	06/29/79	01/25/80	45 FR 6092
401 KAR 61:137	Leaks from existing petroleum refinery equipment	06/24/92	06/23/94	59 FR 32343
401 KAR 61:140	Existing by-product coke manufacturing plants	09/04/86	01/08/88	53 FR 501
401 KAR 61:145	Existing petroleum refineries	01/07/81	03/22/83	48 FR 11945
401 KAR 61:150	Existing synthesized pharmaceutical product manufacturing operations	06/24/92	06/23/94	59 FR 32343
401 KAR 61:155	Existing pneumatic rubber tire manufacturing plants	06/24/92	06/23/94	59 FR 32343
401 KAR 61:160	Existing perchloroethylene dry cleaning systems	06/24/92	06/23/94	59 FR 32343
401 KAR 61:165	Existing primary aluminum reduction plants	06/04/85	12/02/86	51 FR 43395
401 KAR 61:170	Existing blast furnace casthouses	04/14/88	02/07/90	55 FR 4169
401 KAR 61:175	Leaks from existing synthetic organic chemical and polymer manufacturing equipment.	06/24/92	06/23/94	59 FR 32343

Chapter 63 General Standards of Performance

401 KAR 63:001	Definitions & abbreviations of terms used in 401 KAR chapter 63	06/06/96	01/01/97	62 FR 2916
401 KAR 63:005	Open burning	01/12/98	12/08/98	63 FR 67586
401 KAR 63:010	Fugitive emissions	06/06/79	07/12/82	47 FR 30059
401 KAR 63:015	Flares	06/06/79	12/24/80	45 FR 84999
401 KAR 63:020	Potentially hazardous matter or toxic substances	06/06/79	12/24/80	45 FR 84999
401 KAR 63:025	Asphalt paving operations	06/24/92	06/23/94	59 FR 32343
401 KAR 63:031	Leaks from gasoline tank trucks	02/08/93	06/23/94	59 FR 32343

Chapter 65 Mobile Source Related Emissions

401 KAR 65:001	Definitions & abbreviations of terms used in 401 KAR chapter 65	06/19/96	01/21/97	62 FR 2916
401 KAR 65:005	Liquefied petroleum gas carburetion systems	06/06/79	01/25/80	45 FR 6092
401 KAR 65:010	Vehicle emission control programs	01/12/98	12/08/98	63 FR 67586

(d) EPA-approved source specific requirements.

EPA-APPROVED KENTUCKY SOURCE-SPECIFIC REQUIREMENTS

Name of source	Permit number	State effective date	EPA approval date	Federal Register Notice
Bubble action at Kentucky Utilities Green River Plant.	N/A	12/01/80	06/15/81	46 FR 31260
Bubble action at Corning Glassworks	N/A	05/18/81	10/29/81	46 FR 53408
Bubble action at National Distillers Company's, Old Crow Plant.	N/A	12/24/80	09/14/81	46 FR 45610
Bubble action at General Electric in Louisville	N/A	08/07/81	01/12/82	47 FR 1291

EPA-APPROVED KENTUCKY SOURCE-SPECIFIC REQUIREMENTS—Continued

Name of source	Permit number	State effective date	EPA approval date	Federal Register Notice
Bubble action at Borden Chemical CO. in Jefferson CO.	N/A	03/05/82	05/11/82	47 FR 20125
Variance for seven perchloroethylene dry cleaners.	N/A	08/04/82	05/02/83	48 FR 19176
Variance for two dry cleaners	N/A	01/27/83	05/05/83	48 FR 20233
Variance for Jiffy and Hiland Dry Cleaners	N/A	04/25/84	04/18/85	50 FR 15421
TVA Paradise Permit	KDEPDAQ Permit 0-87-012	06/29/87	08/25/89	54 FR 35326
Opacity variance for boiler Units 1 and 2 of TVA's Paradise Steam Plant.	KDEPDAQ Permit 0-86-75	07/24/96	08/17/88	53 FR 30998
Operating Permits for nine presses at the Alcan Foil Products facility—Louisville.	APCDJC Permits 103-74, 104-74, 105-74, 103-74, 110-74, 111-74.	02/28/90	05/16/90	55 FR 20269
Operating Permit requiring VOC RACT for Calgon CO.	KYDEPDAQ Permit 0-94-020	11/17/94	05/24/95	60 FR 27411
Reynolds Metals Company	APCDJC Permits 103-74, 104-74, 016-74, 110-74, 111-74.	04/16/97	01/13/98	63 FR 1929

(e) EPA-approved nonregulatory provisions.

EPA-APPROVED KENTUCKY NONREGULATORY PROVISIONS

Appendix	Title/subject	State effective date	EPA approval date	Federal Register Notice
1	1979 revisions for Part D requirements for ozone NAA	06/29/79	01/25/80	45 FR 6092
2	1979 revisions for Part D requirements for SO ₂ NAA	06/29/79	10/31/80	45 FR 72153
3	1979 revisions for Part D requirements for total suspended particulate NAA	06/29/79	12/24/80	45 FR 84999
4	Corrections in 1979 ozone revisions required by conditional approval of 1/25/80	05/18/80	08/07/81	46 FR 40188
5	1979 Revisions for Part D requirements for the Jefferson CO NAA	06/29/79	08/07/81	46 FR 40186
6	Air Quality surveillance plan	11/15/79	11/16/81	46 FR 56198
7	Boone CO I/M ordinance and transportation control measures	11/19/80	11/30/81	46 FR 58080
8	Lead SIP	05/07/80	11/30/81	46 FR 58082
9	Miscellaneous non-Part D revisions	06/29/79	07/12/82	47 FR 30059
10	Corrections in 79 Part D revisions for SO ₂ NAA Boyd CO	09/24/82	03/22/83	48 FR 13168
11	1982 Revisions to Part D Plan for the Jefferson CO ozone and CO NAA	02/09/83	10/09/84	49 FR 39547
12	Protection Visibility in Class I Areas	06/15/83	07/12/88	53 FR 26253
13	Maintenance Plan for Owensboro and Edmonson County areas	08/31/97	11/03/94	59 FR 55058
14	Maintenance Plan for Pudach Area	12/28/92	02/07/95	60 FR 38707
15	SBAP	01/15/93	06/19/95	60 FR 31915
16	Lexington Maintenance Plan	07/15/93	09/11/95	60 FR 47094
17	Ashland-Huntington Maintenance Plan	01/15/93	06/29/95	60 FR 33752
18	Maintenance Plan Revision for Owensboro & Edmonson CO	05/24/95	09/03/98	63 FR 46898
19	Northern Kentucky 15% Plan & I/M	04/14/98	12/08/98	63 FR 67591

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ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 52**

[MO 073-1073; FRL-6350-3]

Approval and Promulgation of Implementation Plans; State of Missouri**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final rule.**SUMMARY:** EPA is conditionally approving the 1998 revisions to the Kansas City ozone maintenance plan as

a revision to the Missouri State Implementation Plan (SIP). Full approval is contingent upon Missouri's submission of additional, enforceable control measures.

The Kansas City ozone maintenance area experienced a violation of the National Ambient Air Quality Standard (NAAQS) for ozone in 1995. In response to this violation, Missouri submitted revisions to its ozone maintenance plan. These revisions pertain to the implementation of control strategies to achieve reductions in volatile organic compound (VOC) emissions within the Missouri portion of the Kansas City ozone maintenance area. A major purpose of these revisions is to provide a more flexible approach to maintenance of acceptable air quality

levels in Kansas City, while achieving emission reductions equivalent to those required by the previously approved plan.

In a separate **Federal Register** document published today, EPA is also conditionally approving a similar plan submitted by the Kansas Department of Health and Environment to address the Kansas portions of the ozone maintenance area.

EFFECTIVE DATE: This rule will be effective June 28, 1999.

ADDRESSES: Copies of the state submittal(s) are available at the following addresses for inspection during normal business hours: Environmental Protection Agency, Air Planning and Development Branch, 726 Minnesota Avenue, Kansas City, Kansas