

Chief Inspector; the title of the Inspector in Charge—Special Investigations is changed to Inspector in Charge—Internal Affairs; the positions of Regional Chief Inspector and Assistant Regional Chief Inspector are abolished; the position of Manager, Inspection Service Operating Support Group, is created; and delegations of authority are changed to reflect the new organization.

List of Subjects in 39 CFR Part 233

Crime, Law enforcement, Postal Service, Seizures and forfeitures.

Accordingly, 39 CFR part 233 is amended as set forth below:

PART 233—INSPECTION SERVICE/INSPECTOR GENERAL AUTHORITY

1. The authority citation for part 233 continues to read as follows:

Authority: 39 U.S.C. 101, 401, 402, 403, 404, 406, 410, 411, 3005(e)(1); 12 U.S.C. 3401–3422; 18 U.S.C. 981, 1956, 1957, 2254, 3061; 21 U.S.C. 881; Inspector General Act of 1978, as amended (Pub. L. No. 95–452, as amended); 5 U.S.C. App. 3.

2. Section 233.1 is amended by revising paragraph (c)(3) to read as follows:

§ 233.1 Arrest and investigative powers of Postal Inspectors.

* * * * *

(c) * * *

(3) The Chief Postal Inspector hereby delegates authority to sign and issue administrative subpoenas to the following officials: Deputy Chief Inspectors; Managers, Inspection Service Operations Support Group; and Inspector in Charge—Internal Affairs.

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3. Section 233.7 is amended by revising paragraph (a) and the first four sentences of paragraph (j)(5) to read as follows:

§ 233.7 Forfeiture authority and procedures.

(a) *Designation of officials having forfeiture authority.* The Chief Postal Inspector is authorized to perform all duties and responsibilities necessary on behalf of the Postal Service to enforce 18 U.S.C. 981, 2254, and 21 U.S.C. 881, to delegate all or any part of this authority to Deputy Chief Inspectors, Inspectors in Charge, and Inspectors of the Postal Inspection Service, and to issue such instructions as may be necessary to carry out this authority.

* * * * *

(j) * * *

(5) Upon receipt of a Petition for Remission or Mitigation, or a Petition for Restoration of Proceeds of a Sale, an investigation must be conducted by the

Postal Inspection Service to determine the validity of the facts asserted in the Petition. No hearing shall be held. Results of the investigation relating to an administrative forfeiture action must be forwarded in writing to the Deputy Chief Inspector, Criminal Investigations, Headquarters, Postal Inspection Service. Final decision on such Petitions are made by the Deputy Chief Inspector, Criminal Investigations, or a designee, who must promptly notify the Petitioner of the decision. * * *

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Stanley F. Mires,
Chief Counsel, Legislative.

[FR Doc. 95–2077 Filed 1–27–95; 8:45 am]

BILLING CODE 7710–12–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA 95–2–6862; FRL–5144–6]

Approval and Promulgation of Implementation Plans California State Implementation Plan Revision Sacramento Metropolitan Air Quality Management District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is finalizing the approval of a revision to the California State Implementation Plan (SIP) proposed in the **Federal Register** on December 8, 1994. The revision concerns a rule from the Sacramento Metropolitan Air Quality Management District (SMAQMD). This approval action will incorporate this rule into the federally approved SIP. The intended effect of approving this rule 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 revised rule controls VOC emissions from bakery ovens. Thus, EPA is finalizing the approval of this revision 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.

EFFECTIVE DATE: This action is effective on March 1, 1995.

ADDRESSES: Copies of the rule revision and EPA’s evaluation report for the rule are available for public inspection at EPA’s Region IX office during normal business hours. Copies of the submitted

rule revision 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, SW., Washington, DC 20460.

Sacramento Metropolitan Air Quality Management District, 8411 Jackson Road, Sacramento, CA 95826.

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:

Background

On December 8, 1994 in 59 FR 63288, EPA proposed to approve the following rule into the California SIP: SMAQMD’s Rule 458, Large Commercial Bakeries. Rule 458 was adopted by SMAQMD on June 7, 1994. This rule was submitted by the California Air Resources Board (CARB) to EPA on July 13, 1994. This rule was submitted in response to EPA’s 1988 SIP-Call and the CAA section 182(b)(2)(C) requirement that nonattainment areas submit reasonably available control technology (RACT) rules for all major sources of VOCs by November 15, 1992 (the RACT catch-up requirements). A detailed discussion of the background of the above rule and nonattainment area is provided in the NPRM cited above.

EPA has evaluated the above rule for consistency with the requirements of the CAA and EPA regulations and EPA interpretation of these requirements as expressed in the various EPA policy guidance documents referenced in the NPRM cited above. EPA has found that the rule meets the applicable EPA requirements. A detailed discussion of the rule provisions and evaluations has been provided in 59 FR 63288 and in the technical support document (TSD) available at EPA’s Region IX office (TSD dated July 28, 1994).

Response to Public Comments

A 30-day public comment period was provided in 59 FR 63288. No comments were received.

EPA Action

EPA is finalizing action to approve the above rule for inclusion into the California SIP. EPA is approving the submittal under section 110(k)(3) as meeting the requirements of section

110(a) and part D of the CAA. This approval action will incorporate this rule into the federally approved SIP. The intended effect of approving this rule is to regulate emissions of VOCs in accordance with the requirements of the CAA.

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.

Regulatory Process

The OMB has exempted this action from review under Executive Order 12866 which superseded Executive Order 12866.

List of Subjects in 40 CFR Part 52

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

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: January 17, 1995.

Felicia Marcus,
Regional Administrator.

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 paragraph (c)(198)(i)(D) to read as follows:

§ 52.220 Identification of plan.

- * * * * *
- (c) * * *
- (198) * * *
- (i) * * *
- (D) Sacramento Metropolitan Air Quality Management District.
- (1) Rule 458, adopted on June 7, 1994.

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[FR Doc. 95-2152 Filed 1-27-95; 8:45 am]
BILLING CODE 6560-50-P

40 CFR Parts 52 and 81

[OH06-2-6229A, OH01-2-6230A, OH32-2-6231A; FRL-5144-9]

Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Ohio

AGENCY: United States Environmental Protection Agency (USEPA).
ACTION: Final rule; removal.

SUMMARY: On September 21, 1994, the USEPA published a final rule, through the "direct final" procedure, approving three ozone redesignation requests under section 107 of the Clean Air Act (Act) for Preble, Jefferson, and Columbiana Counties in Ohio. See 59 FR 48395. The USEPA is removing this final rule due to adverse comments received on this action. In a subsequent final rule, USEPA will summarize and respond to the comments received on these redesignation requests from the State of Ohio.

EFFECTIVE DATE: January 30, 1995.

ADDRESSES: Copies of the documents relevant to this action are available for public inspection during normal business hours at the following location: United States Environmental Protection

Agency, Region 5, Air Enforcement Branch, 77 West Jackson Boulevard, Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: William Jones, Environmental Scientist, Regulation Development Section, Air Enforcement Branch (AE-17J), United States Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-6058.

List of Subjects

40 CFR Part 52

Environmental protection, Air pollution control, Intergovernmental relations, Ozone.

40 CFR Part 81

Air pollution control.

Dated: December 14, 1994.

Valdas V. Adamkus,
Regional Administrator.

Chapter 1, 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.

§ 52.1885 [Amended]

2. Section 52.1885 is amended by removing paragraph (a) (5).

PART 81—DESIGNATION OF AREAS FOR AIR QUALITY PURPOSES—OHIO

1. The authority citation of part 81 continues to read as follows:

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

2. In § 81.336 the ozone table is amended by revising the entries for Columbiana, Preble, and Jefferson Counties to read as follows:

§ 81.336 Ohio.

* * * * *

OHIO—OZONE

Designated area	Designation		Classification	
	Date ¹	Type	Date ¹	Type
* * * * *				
Columbiana County Area:				
Columbiana County	March 1, 1995	Nonattainment	Incomplete Data.
* * * * *				
Preble County Area:				
Preble County	March 1, 1995	Nonattainment	Transitional.
Steubenville Area:				
Jefferson County	March 1, 1995	Nonattainment	Transitional