

term "area or community" is defined to mean "a political subdivision or contiguous political subdivisions (such as precinct, ward, borough, city, county, State, Congressional district, etc.) with a separately identifiable population of homeless veterans." Accordingly, changes are made to the rule to better reflect this Congressional intent.

Changes are made to the "rating criteria for applications" section of the rule (§ 17.711) to clarify that grants may be awarded only for new programs or new components of existing programs.

This final rule, which essentially affirms the provisions of the interim final rule, is made effective upon publication. The substantive changes made by this final rule relieve restrictions.

Executive Order 12866: This rule has been reviewed as a "significant regulatory action" under E.O. 12866 by the Office of Management and Budget.

List of Subjects in 38 CFR Part 17

Community action programs, Community development, Homeless veterans, Government contracts, Grant programs—Health, Grant programs—homeless veterans, Grant programs—housing and community development, Grant programs—social programs, Grant programs—transportation, Health, Health care, Health facilities, Housing, Intergovernmental relations, Low and moderate income housing, Manpower training programs, Mental health centers, Mental health programs, Motor carriers, Motor vehicles, Public housing, Rent subsidies, Supportive housing, Supportive services, Veterans, Vocational education, Vocational rehabilitation, Work Incentive Programs.

Approved: February 15, 1995.

Jesse Brown,

Secretary of Veterans Affairs.

For the reasons set forth in the preamble, the interim rule amending 38 CFR part 17 which was published at 59 FR 28625, June 1, 1994, is adopted as final with the following changes:

PART 17—MEDICAL

1. The authority citation for part 17 continues to read as follows:

Authority: 38 U.S.C. 501, 38 U.S.C. 7721 note, unless otherwise noted.

2. Section 17.700 is amended by revising the last sentence of paragraph (a) to read as follows:

§ 17.700 Purpose and scope.

(a) * * * This program does not provide for funding to acquire buildings located on VA-owned property. The program does provide for grant funds to

be used to construct, expand or remodel buildings located on VA-owned property.

3. Section 17.701 is amended by adding the definition of "area or community", and by revising the definition of "new program/new component of an existing program" to read as follows:

§ 17.701 Definitions.

Area or community means a political subdivision or contiguous political subdivisions (such as precinct, ward, borough, city, county, State, Congressional district, etc.) with a separately identifiable population of homeless veterans.

New program/new component of an existing program means a proposed program of supportive services, or a proposed addition of supportive services to an existing program, which services are not currently being provided by the entity proposing it, and for which there is a demonstrated need in the area or community served by that entity.

4. Section 17.710 is amended by revising paragraph (a)(7) to read as follows:

§ 17.710 Application requirements.

(7) Documentation on site control and appropriate zoning, and on the boundaries of the area or community proposed to be served;

5. Section 17.711 is amended by revising paragraphs (b)(4) and the first sentence in (d)(4) to read as follows:

§ 17.711 Rating criteria for applications.

(4) *Eligible activities.* The activities for which assistance is requested must be eligible for funding under this part (e.g., new programs or new components of existing programs).

(4) *Need.* VA will award up to 150 points based on the applicant's demonstrated understanding of the needs of the specific homeless veteran population proposed to be served in the specified area or community.

6. Section 17.731 is amended by adding a new sentence at the end of paragraph (a)(1) to read as follows:

§ 17.731 Site control.

(1) * * * A lease other than a capital lease does not demonstrate site control except for a VA lease as described in § 17.700(a) of this part.

[FR Doc. 95-4654 Filed 2-24-95; 8:45 am]
BILLING CODE 8320-01-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[TN 110-1-6172a; FRL-5143-9]

Approval and Promulgation of Implementation Plans Tennessee: Approval of Revisions to the Tennessee Chapter on Volatile Organic Compounds (VOC)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: In this document, EPA is acting on revisions to the Tennessee State Implementation Plan (SIP) which were submitted on May 18, 1993, by Tennessee, through the Tennessee Department of Air Pollution Control (TDAPC), and contained revisions to chapter 1200-3-18 "Volatile Organic Compounds (VOC)." Due to the significance of the revisions, this revised chapter was submitted to replace the current chapter 1200-3-18. These revisions were made to satisfy the VOC Reasonably Available Control Technology (RACT) "Catch-Up" requirements contained in the amended Clean Air Act (CAA). EPA is granting conditional approval, full approval or disapproval of the revisions as explained in detail in the Supplementary Information section of this document.

DATES: This final rule will be effective April 28, 1995 unless adverse or critical comments are received by March 29, 1995. If the effective date is delayed, timely notice will be published in the Federal Register.

ADDRESSES: Written comments should be addressed to: William Denman Stationary Source Unit, Regulatory Planning and Development Section, Air Programs Branch, Air, Pesticides & Toxics Management Division, Region 4 Environmental Protection Agency, 345 Courtland Street, NE., Atlanta, Georgia 30365

Copies of the material submitted by the State of Tennessee may be examined during normal business hours at the following locations:

Air and Radiation Docket and Information Center (Air Docket 6102), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460.

Environmental Protection Agency, Region 4 Air Programs Branch, 345 Courtland Street, NE., Atlanta, Georgia 30365.

Division of Air Pollution Control, Tennessee Department of Environment and Conservation, L & C Annex, 9th Floor, 401 Church Street, Nashville, Tennessee 37243-1531.

FOR FURTHER INFORMATION CONTACT: William Denman, Stationary Source Planning Unit, Regulatory Planning and Development Section, Air Programs Branch, Air, Pesticides & Toxics Management Division, Environmental Protection Agency Region 4, 345 Courtland Street, NE., Atlanta, Georgia 30365. The telephone number is (404) 347-3555 x4208. Reference file TN110-1-6172.

SUPPLEMENTARY INFORMATION: On May 18, 1993, Tennessee submitted revisions to chapter 1200-3-18 "Volatile Organic Compounds" of their SIP to meet the requirements of the 1990 amendments to the CAA. These requirements are commonly referenced as the "VOC RACT Catch-Ups." Due to the significance of the revisions, this revised chapter was submitted to replace the current chapter 1200-3-18 which had been recently revised to meet the "VOC RACT Fix-Up" requirements and was acted on by EPA by publishing a final rulemaking in the Federal Register on April 18, 1994. (see 59 FR 18310) EPA is approving the replacement of the previously federally approved chapter 1200-3-18 except for the following exceptions.

Tennessee failed to submit a rule for the VOC control of perchloroethylene dry cleaners in the VOC RACT Catch-Up submittal of May 18, 1993. However, a rule for the control of VOCs from perchloroethylene dry cleaners was federally approved in 59 FR 18310 on April 18, 1994. Therefore, the federally approved rule 1200-3-18-.28 "Perchloroethylene Dry Cleaning" will remain in effect until Tennessee submits a chapter for incorporation into their revised chapter 1200-3-18. Tennessee currently has a rule which regulates toxic emissions from perchloroethylene dry cleaners.

Otherwise, EPA is granting full approval of the submitted revisions with the exception of section 1200-3-18-.24 "Gasoline Dispensing Facilities—Stage I and Stage II Vapor Recovery" which will be acted on in a separate document and the following exceptions which are

being granted conditional approval or are being disapproved. The approach taken for each of the submitted revisions is described below.

Conditional Approvals

EPA is conditionally approving the following revisions to the Tennessee SIP based upon Tennessee's commitment, in letters dated October 7, 1994, and December 16, 1994. To make the necessary revisions to correct the deficiencies identified below by January 1, 1996, Tennessee held public hearings on its committed revisions on October 19, 1994, and November 21, 1994. At the time of this document, the revisions committed to by Tennessee have been board approved. The conditional approval approach has been chosen to allow Tennessee the necessary time for the revisions to become State effective. If Tennessee fails to meet its commitment on or before January 1, 1996, the conditional approval will convert to a disapproval.

On January 15, 1993, in a letter from Patrick M. Tobin to Governor Ned McWherter, EPA notified the State of Tennessee that EPA had made a finding of failure to submit required programs for the nonattainment area. The revised chapter 1200-3-18 "Volatile Organic Compounds" was submitted on May 18, 1993, to satisfy the VOC RACT Catch-Up requirement. The complete submittal stopped the sanctions clock which was started on January 15, 1993, and this conditional approval of the submittal will temporarily stop the Federal Implementation Plan (FIP) clock which was also started on January 15, 1993. The FIP clock will stop permanently if the State fulfills its commitment and the EPA takes final action fully approving the plan. The clock will resume where it stopped and a new sanctions clock will start if any of the following occurs where the conditional approval converts to a disapproval. One, if the State of Tennessee fails to submit anything to meet its commitment, the clock will resume on the date the letter from the EPA to the State finding that it had failed to meet its commitment and that the conditional approval has now been converted to a disapproval. Two, if the State of Tennessee submits an incomplete SIP submittal to meet its commitment, the FIP clock will resume on the date that the EPA sends a letter of incompleteness to the State. Three, if the State submits a SIP submittal for which the EPA takes a final disapproval action, the clock resumes on the effective date of the final action. Additional information on conditional approvals and their effect on sanctions

and FIP clocks can be found in a memorandum entitled, "Impact of Conditional Approvals on Sanction and Federal Implementation Plan (FIP) Clocks", dated July 14, 1993, from D. Kent Berry, Acting Director, Air Quality Management Division (MD-15) to the EPA Regional Air Directors.

Rule 1200-3-18-.01(1) "Definitions": The definition of "volatile organic compound" lists perchloroethylene as one of the exempt compounds which have been determined to have negligible photochemical reactivity. While EPA has proposed to revise the federal definition of VOC to exclude perchloroethylene, 57 FR 48490 (October 26, 1992), EPA has not taken final action to do so. Therefore, the State must continue to regulate perchloroethylene as a VOC until EPA takes final action to exclude perchloroethylene as a VOC. EPA is conditionally approving the VOC definition due to the commitment letter referenced above. If Tennessee fails to delete perchloroethylene from the list of exempt compounds and EPA has not approved it as an exempt compound after the commitment date, EPA will disapprove the definition of VOC and the previously federally approved definition of VOC will become effective.

Rule 1200-3-18-.02 "General Provisions and Applicability": Tennessee's emission statement, given in paragraph (8), does not fully meet the requirements of section 182(a)(3)(B) of the CAA. If either VOC or NO_x is emitted at or above the minimum required reporting level, the other pollutant must be included in the emissions statement even if it is emitted at levels below the specified cutoffs. Also, in the last sentence of paragraph (8), it is required that the owner or operator certify the reports. The EPA requirement is that an "official" of the company certify the reports and since not all operators are officials, Tennessee must change "owner or operator" to "official." EPA is conditionally approving the emissions statement due to the commitment letter referenced above. If Tennessee fails to meet its commitment on or before the date in its commitment letter, the conditional approval will convert to a disapproval.

Rule 1200-3-18-.06 "Handling, Storage, and Disposal of Volatile Organic Compounds (VOC's)": The phrase "minimum reasonably attainable" used in paragraph (1) must be defined in the general definitions section. EPA is conditionally approving this revision due to the commitment letter referenced above. If Tennessee fails to meet its commitment on or before the date in its commitment letter,

the conditional approval will convert to a disapproval.

Rule 1200-3-18-.33 "Manufacture of Synthesized Pharmaceutical Products": This rule was the subject of a public hearing on March 18, 1993, and was amended by the State after being officially submitted to EPA. The amended rule was to replace the rule 1200-3-18-.33, officially submitted on May 18, 1993, in its entirety. To date, EPA has not received the amended rule 1200-3-18-.33. EPA is granting conditional approval of rule 1200-3-18-.33 submitted on March 18, 1993, due to the commitment letter referenced above. If Tennessee fails to meet its commitment on or before the date in its commitment letter, the conditional approval will convert to a disapproval.

Rule 1200-3-18-.38 "Leaks from Synthetic Organic Chemical, Polymer, and Resin Manufacturing Equipment": In paragraph (2) of this rule, the definition of "(In) light liquid service," sets the level of the concentration of pure component at 20%. This level must be set at 10% to be consistent with the CTG. EPA is granting conditional approval of this rule based on Tennessee's commitment to correct this deficiency. If Tennessee fails to meet its commitment on or before the date in its commitment letter, the conditional approval will convert to a disapproval.

Rule 1200-3-18-.39 "Manufacture of High-Density Polyethylene, Polypropylene, and Polystyrene Resins": The conversion factor K_1 in the equation in subparagraph (5)(a)(2) is not correct in the form expressed in English units. The correct conversion factor is 2.595×10^{-9} lb-mole/dscf. EPA is conditionally approving this revision due to the commitment letter referenced above which states that Tennessee will correct the deficiency and will use the correct conversion factor in the interim. If Tennessee fails to meet its commitment on or before the date in its commitment letter, the conditional approval will convert to a disapproval.

Rule 1200-3-18-.86 "Performance Specifications for Continuous Emission Monitoring of Total Hydrocarbons": The conversion factor of 8.638×10^{-4} that was included in the equation in subparagraph (11)(c) is incorrect and will result in a low bias in total hydrocarbon emission rates. If the stack flow rate is expressed in cubic feet per second, the conversion factor K_1 shall be 5.183×10^{-2} . EPA is conditionally approving this revision due to the commitment letter referenced above which states that Tennessee will correct the deficiency. If Tennessee fails to meet its commitment on or before the date in

its commitment letter, the conditional approval will convert to a disapproval.

Disapprovals

EPA is disapproving the following revisions to chapter 1200-3-18 of the Tennessee SIP. Section 110(l) of the CAA provides that EPA shall not approve a SIP revision if the revision interferes with any applicable requirements concerning attainment and reasonable further progress, or any other applicable requirements of the CAA. Section 110(k) of the CAA addresses the situation in which an entire submittal, or a separable portion of a submittal, meets all applicable requirements of the CAA. In the case where a separable portion of the submittal meets all of the applicable requirements, partial approval may be used to approve that part of the submittal and disapprove the remainder. Tennessee has begun rulemaking to correct these deficiencies. In the meantime, the rules are disapproved as described below.

Rule 1200-3-18-.03 "Compliance Certification, Recordkeeping, and Reporting Requirements for Coating and Printing Sources": As stated in comment #17 in a letter dated December 14, 1993, from EPA to Tennessee, subparagraph (2)(b) must state that the alternate longer period be approved by EPA in addition to the Technical Secretary. Since Tennessee did not correct this deficiency, EPA is disapproving the proposed rule. Therefore, the federally enforceable version of this rule will continue to be the last federally approved rule which is 1200-3-18-.01(5) as approved in 59 FR 18310 on April 18, 1994.

Rules 1200-3-18-.20 "Coating of Miscellaneous Metal Parts"; 1200-3-18-.79 "Other Facilities that Emit Volatile Organic Compounds (VOC)": The exemption in subparagraphs 1200-3-18-.20(1)(b)(2)(vii) and 1200-3-18-.79(1)(d) is not consistent with EPA's guidance on final repair (see Control of Volatile Organic Emissions from Stationary Sources, Volume II: Surface Coating of Cans, Coils, Paper, Fabrics, Automobiles, and Light-Duty Trucks, EPA 450/2-77-008, May 1977), which recommends a maximum VOC emission rate of 4.8 lbs/gal. Usage of 4.0 gal/day of air-drying materials, as specified in the State rule, corresponds with a VOC emission rate of approximately 25 lbs/day, which is more than five times EPA's recommended rate. Therefore, EPA is disapproving subsections 1200-3-18-.20(1)(b)(2)(vii) and 1200-3-18-.79(1)(d).

Approvals

Except as noted above, EPA is approving the following revisions to Tennessee chapter 1200-3-18 "Volatile Organic Compounds."

1200-3-18-.01 Definitions: Tennessee consolidated definitions previously contained throughout the chapter and arranged all definitions in alphabetical order.

1200-3-18-.02 General Provisions and Applicability: This section was revised by moving the compliance certification and recordkeeping requirements to sections 1200-3-18-.03 and .04, adding additional provisions consistent with the EPA's draft VOC Model Rule and adding the emission statement for VOC's.

1200-3-18-.03 Compliance Certification, Recordkeeping, and Reporting Requirements for Coating and Printing Sources and 1200-3-18-.04 Compliance Certification, Recordkeeping, and Reporting Requirements for Non-Coating and Non-Printing Sources: These sections were added to describe in detail the compliance certification, recordkeeping and/or reporting requirements that had previously been contained in General Provisions and Applicability.

1200-3-18-.06 Handling, Storage, and Disposal of Volatile Organic Compounds (VOC's): This section was added to the VOC Chapter to provide a regulation for the handling, storage, and disposal of VOC's.

1200-3-18-.07 Source Specific Compliance Schedules: This section was added to give provisions by which an owner or operator of an existing source can petition for a source-specific compliance schedule.

1200-3-18-.08-.10 These sections were revised to read "reserved."

1200-3-18-.22 Bulk Gasoline Plants: This rule was amended to be consistent with EPA's draft VOC Model Rule and expanded applicability to the entire Nashville nonattainment area.

1200-3-18-.23 Bulk Gasoline Terminals: This rule was revised to be consistent with EPA's draft VOC Model Rule which modified the test methods and procedures and extended the applicability to all counties in the Nashville nonattainment area.

1200-3-18-.25 Leaks from Gasoline Tank Trucks: This rule was revised to be consistent with EPA's draft VOC Model Rule which extended the applicability from trucks loaded or unloaded in Davidson and Shelby County to any gasoline truck equipped for gasoline vapor collection.

1200-3-18-.26 Petroleum Refinery Sources & 1200-3-18-.27 Leaks from

Petroleum Refinery Equipment: These rules were revised to be consistent with EPA's draft VOC Model Rule which clarified the applicability.

1200-3-18-.28 Petroleum Liquid Storage in External Floating Roof Tanks & 1200-3-18-.29 Petroleum Liquid Storage in Fixed Roof Tanks: These rules were revised to be consistent with EPA's draft VOC Model Rule which clarified the recordkeeping requirements.

1200-3-18-.31 Solvent Metal Cleaning: This rule was revised to be consistent with EPA's draft VOC Model Rule which lowered the applicability threshold and clarified the compliance requirements.

1200-3-18-.32 Cutback and Emulsified Asphalt: This rule was revised to eliminate any exemptions to this rule.

1200-3-18-.35 Graphic Arts Systems: This rule was revised to include weighted average limitations and to clarify recordkeeping and reporting requirements.

1200-3-18-.79 Other Facilities that Emit Volatile Organic Compounds (VOC): This rule applies to all VOC sources in the Nashville nonattainment that have the potential to emit 100 tons or more per year.

The following rules were added to the VOC chapter to provide regulations for additional source categories.

1200-3-18-.11 Automobile and Light-Duty Truck Coating Operations

1200-3-18-.30 Leaks from Natural Gas/Gasoline Processing Equipment

1200-3-18-.34 Pneumatic Rubber Tire Manufacturing

1200-3-18-.36 Petroleum Solvent Dry Cleaning

1200-3-18-.38 Leaks from Synthetic Organic Chemical, Polymer, and Resin Manufacturing Equipment

1200-3-18-.39 Manufacture of High-Density Polyethylene, Polypropylene, and Polystyrene Resins

1200-3-18-.40 Air Oxidation Processes in the Synthetic Organic Chemical Manufacturing Industry

1200-3-18-.86 Performance Specifications for Continuous Emission Monitoring of Total Hydrocarbons

1200-3-18-.87 Quality Control Procedures for Continuous Emission Monitoring Systems (CEMS)

The following rules were revised consistent with the EPA's draft VOC Model Rule. The applicability thresholds were changed from sources having the potential to emit 25 tons per year or greater in Davidson, Hamilton, and Shelby Counties, and 100 tons per year or greater in other counties to those whose maximum theoretical emissions of 10 tons per year or greater in the five-county Nashville nonattainment area, 25

tons per year or above in Hamilton or Shelby County and 100 tons per year or greater in all other counties.

1200-3-18-.12 Can Coating

1200-3-18-.13 Coil Coating

1200-3-18-.14 Paper and Related Coating

1200-3-18-.15 Fabric Coating

1200-3-18-.16 Vinyl Coating

1200-3-18-.17 Coating of Metal Furniture

1200-3-18-.18 Coating of Large Appliances

1200-3-18-.19 Coating of Magnet Wire

1200-3-18-.20 Coating of Miscellaneous

Metal Parts

1200-3-18-.21 Coating of Flat Wood Paneling

Sections 1200-3-18-.05, 1200-31-18-.37, 1200-3-18-.41 through .78 and 1200-3-18-.88 through .99 are reserved.

The following rules were added to provide for test methods and compliance procedures.

1200-3-18-.80 Test Methods and Compliance Procedures: General Provisions

1200-3-18-.81 Test Methods and Compliance Procedures: Determining the VOC Content of Coatings and Inks

1200-3-18-.82 Test Methods and Compliance Procedures: Alternative Compliance Methods for Surface Coating.

1200-3-18-.83 Test Methods and Compliance Procedures: Emissions Capture and Destruction or Removal Efficiency and Monitoring Requirements

1200-3-18-.84 Test Methods and Compliance Procedures: Determining the Destruction or Removal Efficiency of a Control Device

1200-3-18-.85 Test Methods and Compliance Procedures: Leak Detection Methods for Volatile Organic Compounds (VOC)

Final Action

EPA is approving the submitted revisions to the Tennessee SIP with the exception of those rules discussed in the Supplementary section of the notice which are either conditionally approved or disapproved. The revised chapter 1200-3-18 "Volatile Organic Compounds" provides essentially the same requirements as the previous chapter 1200-3-18 with some sections being more stringent as described above. The EPA is publishing this action without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. However, in a separate document in this Federal Register publication, the EPA is proposing to approve the SIP revision should adverse or critical comments be filed. This action will be effective April 28, 1995, unless, by March 29, 1995, adverse or critical comments are received.

If the EPA receives such comments, this action will be withdrawn before the effective date by publishing a

subsequent document that will withdraw the final action. All public comments received will then be addressed in a subsequent final rule based on this action serving as a proposed rule. The EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time. If no such comments are received, the public is advised that this action will be effective April 28, 1995.

Under section 307(b)(1) of the Act, 42 U.S.C. 7607 (b)(1), petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by April 28, 1995. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for 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) of the CAA, 42 U.S.C. 7607 (b)(2).)

The OMB has exempted these actions from review under Executive Order 12866.

Nothing in this action shall be construed as permitting or allowing or establishing a precedent for any future request for a 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.

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 CAA 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, I certify 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 regulatory 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. E.P.A.*, 427 U.S. 246, 256-66 (S.Ct. 1976); 42 U.S.C. 7410(a)(2).

Conditional approvals of SIP submittals under section 110 and subchapter I, part D of the CAA do not create any new requirements, but simply approve requirements that the State is already imposing.

If the conditional approval is converted to a disapproval under section 110(k), based on the State's failure to meet the commitment, it will not affect any existing state requirements applicable to small entities. Federal disapproval of the state submittal does not affect its state-enforceability. Moreover, EPA's disapproval of the submittal does not impose a new Federal requirement. Therefore, EPA certifies that this disapproval action does not have a significant impact on a substantial number of small entities because it does not remove existing state requirements nor does it substitute a new Federal requirement.

List of Subjects in 40 CFR Part 52

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

Dated: January 9, 1995.
Patrick M. Tobin,
Acting Regional Administrator.

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. 7401-7671q.

Subpart RR—Tennessee

2. Section 52.2219 is revised to read as follows:

§ 52.2219 Identification of plan—conditional approval.

(a) EPA is conditionally approving the following revisions to the Tennessee SIP contingent on the State of Tennessee meeting the schedule to correct deficiencies associated with the following rules which was committed to in letters dated October 7, 1994, and December 16, 1994, from the State of Tennessee to EPA Region IV.

(1) Rule 1200-3-18-.01 Definitions: Subparagraph (1), the definition of "volatile organic compound," effective April 22, 1993.

(2) Rule 1200-3-18-.02 General Provisions and Applicability: Paragraph (8) effective April 22, 1993.

(3) Rule 1200-3-18-.06 Handling, Storage and Disposal of Volatile Organic Compounds (VOC's): Paragraph (1) effective April 22, 1993.

(4) Rule 1200-3-18-.39 Manufacture of High-Density Polyethylene, Polypropylene, and Polystyrene Resins: Subparagraph (5)(a)(2) effective April 22, 1993.

(5) Rule 1200-3-18-.86 Performance Specifications for Continuous Emission Monitoring of Total Hydrocarbons: Subparagraph (11)(c) effective April 22, 1993.

- (b) [Reserved]
- (c) [Reserved]

3. Section 52.2220 is amended by adding paragraph (c)(123) to read as follows:

§ 52.2220 Identification of plan.

* * * * *

(c) * * *

(123) A revised chapter 1200-3-18 "Volatile Organic Compounds" was submitted by the Tennessee Department of Air Pollution Control (TDAPC) to EPA on May 18, 1993, to replace the current chapter 1200-3-18 in the Tennessee SIP. This chapter had been revised to meet the requirements of the 1990 Clean Air Act Amendments commonly referred to as the "VOC RACT Catch-Up" requirements. Rule 1200-3-18-.28 "Perchloroethylene Dry Cleaners" which was federally approved in 59 FR 18310 on April 18, 1994, will remain effective.

(i) Incorporation by reference.

(A) Revisions to the State of Tennessee regulations which were effective on April 22, 1993.

(1) Chapter 1200-3-18 "Volatile Organic Compounds," except for subchapter 1200-3-18-.24, subparagraph 1200-3-18-.03 (2)(b), (1)(b)(2)(vii), and subparagraphs 1200-3-18-.79 (1)(a)(3), (1)(c), and (1)(d).

(ii) Other material. None.

* * * * *

4. Section 52.2225 is amended by revising paragraph (b) to read as follows:

§ 52.2225 VOC rule deficiency correction.

* * * * *

(b) Revisions to chapter 1200-3-18 "Volatile Organic Compounds" were submitted by Tennessee on May 18, 1993, to meet the requirements added by the 1990 Clean Air Act Amendments (CAAA) commonly referred to as the "VOC RACT Catch-up" requirements. The following deficiencies remain in Tennessee chapter 1200-3-18 and must be corrected.

(1) Rule 1200-3-18-.01 (1): The definition of "volatile organic compound" must be revised to delete perchloroethylene from the

list of compounds that have negligible photochemical reactivity.

(2) Rule 1200-3-18-.02 (8): Tennessee must revise this paragraph to provide that an official of the company certify the reports instead of the owner or operator. This paragraph must also be amended to require NO_x emissions to be reported.

(3) Rule 1200-3-18-.06 (1): The term "minimum reasonably attainable" must be explained or defined.

(4) Rule 1200-3-18-.33: This rule for the manufacture of synthesized pharmaceutical products has been amended by the State since the official submittal. The State of Tennessee has committed to submit the revised rule to EPA by January 1, 1996.

(5) Rule 1200-3-18-.38: This rule for leaks from synthetic organic chemical, polymer, and resin manufacturing equipment sets the level of concentration of pure component at 20%. This level must be changed to 10%.

(6) Rules 1200-3-18-.39 (5)(a)(2) and 1200-3-18-.86 (11)(c): The conversion factors must be corrected.

* * * * *

[FR Doc. 95-4539 Filed 2-24-95; 8:45 am]

BILLING CODE 6560-50-P

GENERAL SERVICES ADMINISTRATION

41 CFR Part 201-39

[FIRMR Amendment 4]

RIN 3090-AF17

Amendment of FIRMR To Remove Provisions for Using GSA Nonmandatory Schedule Contracts for FIP Resources

AGENCY: Information Technology Service, GSA.

ACTION: Final rule.

SUMMARY: This rule revises Federal Information Resources Management Regulation (FIRMR) provisions regarding Federal Information Processing (FIP) multiple award schedule (MAS) contract orders. Specifically, the rule removes the requirement to synopsise orders in excess of \$50,000 placed against MAS contracts and incorporates the new guiding principles for FIP MAS orders, including a \$2,500 "micro-purchase" threshold. The micro-purchase procedures will speed up the acquisition process for low dollar, low risk FIP acquisitions. These changes are examples of GSA's ongoing efforts to improve the MAS program and streamline the procurement process. GSA strongly encourages agencies to use the schedules program as a proven method to purchase commercial goods in a manner that is both time and cost effective.