

**40 CFR Part 52**

[AR-3-1-5727b; FRL-5155-9]

**Clean Air Act Approval and Promulgation of Title V, Section 507, Small Business Stationary Source Technical and Environmental Compliance Assistance Program for Arkansas****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Proposed rule.

**SUMMARY:** The EPA proposes to approve the State Implementation Plan (SIP) revision submitted by the State of Arkansas for the purpose of establishing a Small Business Stationary Source Technical and Environmental Compliance Assistance Program. The SIP revision was submitted by the State to satisfy the Federal mandate, found in the Clean Air Act (CAA), to ensure that small businesses have access to the technical assistance and regulatory information necessary to comply with the CAA. In the final rules section of this **Federal Register**, the EPA is approving the State's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this rule. If the EPA receives adverse comments, the direct final rule will be withdrawn, and all public comments received during the 30-day comment period set forth below will be addressed in a subsequent final rule based on this proposed rule. Any parties interested in commenting on this action should do so at this time.

**DATES:** Comments on this proposed rule must be received in writing by April 7, 1995. If no adverse comments are received, then the direct final rule will be effective on May 8, 1995.

**ADDRESSES:** Written comments on this action should be addressed to Mr. Thomas Diggs, Chief (6T-AP), Planning Section, at the EPA Regional Office listed below. Copies of the documents relevant to this proposed rule 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.

U.S. Environmental Protection Agency, Region 6, Air Programs Branch (6T-

AP), 1445 Ross Avenue, Suite 700, Dallas, Texas 75202-2733.  
Arkansas Department of Pollution Control and Ecology, Division of Air Pollution Control, 8001 National Drive, Little Rock, Arkansas 72209.

**FOR FURTHER INFORMATION CONTACT:** Dr. John Crocker, Planning Section (6T-AP), EPA Region 6, telephone (214) 665-7596.

**SUPPLEMENTARY INFORMATION:** See the information provided in the Direct Final action of the same title which is located in the final rules section of this **Federal Register**.

Dated: January 24, 1995.

**William B. Hathaway,**  
*Acting Regional Administrator.*

[FR Doc. 95-5443 Filed 3-7-95; 8:45 am]

**BILLING CODE 6560-50-P**

**40 CFR Part 52**

[GA-15-1-6285b; GA-21-4-6514b; FRL-5153-4]

**Approval and Promulgation of Implementation Plans; Georgia: Approval of Part D New Source Review (NSR) Regulations****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Proposed rule.

**SUMMARY:** The EPA proposes to approve the State Implementation Plan (SIP) revision submitted by the State of Georgia for the purpose of establishing a New Source Review program for nonattainment areas. In the final rules section of this **Federal Register**, the EPA is approving the State's SIP revision as a direct final rule without prior proposal because EPA views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to that direct final rule, no further activity is contemplated in relation to this proposed rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this document. Any parties interested in commenting on this document should do so at this time.

**DATES:** To be considered, comments must be received by April 7, 1995.

**ADDRESSES:** Written comments should be addressed to: Dick Schutt, 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 documents relevant to this final action are available for public inspection 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.

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

Air Protection Branch, Georgia Environmental Protection Division, Georgia Department of Natural Resources, 4244 International Parkway, Suite 120, Atlanta, Georgia 30354.

**FOR FURTHER INFORMATION CONTACT:** Please contact Dick Schutt of the EPA Region 4 Air Programs Branch at 404-347-3555 ext. 4206, and at the above address.

**SUPPLEMENTARY INFORMATION:** See the information provided in the direct final rule which is located in the Rules Section of this **Federal Register**.

Dated: February 6, 1995.

**Patrick M. Tobin,**

*Acting Regional Administrator.*

[FR Doc. 95-5440 Filed 3-7-95; 8:45 am]

**BILLING CODE 6560-50-P**

**40 CFR Part 52**

[SC19-1-5031b; FRL-5166-8]

**Disapproval of Revision to the South Carolina SIP****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Proposed rule.

**SUMMARY:** The EPA proposes to disapprove the State implementation plan (SIP) revision submitted by the State of South Carolina containing South Carolina's generic bubble regulation. In the final rules section of this **Federal Register**, the EPA is disapproving the State's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for the disapproval is set forth in the direct final rule. If no adverse comments are received in response to that direct final rule, no further activity is contemplated in relation to this proposed rule. If EPA receives adverse comments, the direct

final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this document. Any parties interested in commenting on this document should do so at this time.

**DATES:** To be considered, comments must be received by April 7, 1995.

**ADDRESSES:** Written comments on this action should be addressed to Kay T. Prince, at the EPA Regional Office listed below.

Copies of the 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.

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

South Carolina Department of Health  
and Environmental Control, 2600 Bull  
Street, Columbia, South Carolina  
29201.

**FOR FURTHER INFORMATION CONTACT:**  
Kay T. Prince, 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. The telephone number is 404/  
347-3555 x4221. Reference file SC19-1-  
5031.

**SUPPLEMENTARY INFORMATION:** For  
additional information see the direct  
final rule which is published in the  
rules section of this **Federal Register**.

Dated: January 26, 1995.

**Patrick M. Tobin,**

*Acting Regional Administrator.*

[FR Doc. 95-5575 Filed 3-7-95; 8:45 am]

BILLING CODE 6560-50-P

#### 40 CFR Part 63

[AD-FRL-5168-3]

RIN 2060-AD02

#### Federal Standards for Marine Tank Vessel Loading and Unloading Operations and National Emission Standards for Hazardous Air Pollutants for Marine Vessel Loading and Unloading Operations

**AGENCY:** Environmental Protection  
Agency (EPA).

**ACTION:** Reopening of public comment  
period.

**SUMMARY:** On May 13, 1994 (59 FR 25004), the EPA proposed standards to regulate the emissions of volatile organic compounds (VOC) and hazardous air pollutants (HAP) from new and existing marine tank vessel loading and unloading operations which are part of major sources under section 112 of the Clean Air Act (CAA). The initial public comment period closed on July 18, 1994. With this document, the EPA reopens the comment period on the marine tank vessel loading and unloading operations to request comment on extending the proposed compliance dates of 2 years and 3 years for sections 183(f) and 112 of the CAA respectively.

**DATES:** Comments must be received on or before April 7, 1995.

**ADDRESSES:** *Comments.* Comments should be submitted (in duplicate if possible) to the EPA's Air and Radiation Docket and Information Center (6102), ATTN: Docket Number A-90-44, Room M1500, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460.

*Dockets.* Docket Number A-90-44 contains supporting information used in developing the proposed provisions. This docket is available for public inspection and copying between 8:00 a.m. and 4:00 p.m., Monday through Friday, at the EPA's Air and Radiation Docket and Information Center, Waterside Mall, Room M1500, 410 M Street, SW., Washington, DC 20460. A reasonable fee may be charged for copying.

**FOR FURTHER INFORMATION CONTACT:**  
Contact Mr. David Markwordt, Policy,  
Planning and Standards Group,  
Emission Standards Division (MD-13),  
Office of Air Quality Planning and  
Standards, U. S. Environmental  
Protection Agency, Research Triangle  
Park, North Carolina 27711, telephone  
number (919) 541-0837.

**SUPPLEMENTARY INFORMATION:** On May 13, 1994 (59 FR 25004), the EPA proposed standards to regulate the emissions of VOC and HAP from new and existing marine tank vessel loading and unloading operations which are part of major sources under sections 183(f) and 112 of the CAA. The comment period on the proposed rule ended on July 18, 1994. This notice reopens the public comment period for the proposed rule. However, only comments limited to the subject described below will be considered at this time.

The docket for the proposed rule for marine vessel loading and unloading operations received many comments concerning the 2 and 3 year compliance

dates for section 183(f) and 112 of the CAA respectively (see Docket Number A-90-44 items IV-D6, 7, 8, 23, 24, 28, 30, 31, 32, 34, 36, 39, 41, 42, 47, 50, 51, 55, 56, 58, 68, 71, 75, 78, 86, and 103).

These comments provide information that, according to the commenters, show that the deadlines provided in the proposed rule are not practicable. The commenters also suggest that there are provisions in sections 112 and 183(f) which would allow the Agency to revise its deadline for compliance.

#### Section 183(f)

The American Petroleum Institute (API) suggests that, as the controls required under section 183(f) must be "reasonably available," the Agency cannot require implementation of controls within 2 years if such controls can not reasonably be completed in the 2-year time frame. API suggests that EPA should delay the compliance date to a date that is "reasonable." API also suggests a possible phase-in of the compliance date (see Docket Number A-90-44 item IV-D-103).

In addition, API notes that section 183(f)(1)(B) provides that a regulation issued pursuant to Section 183(f)

shall take effect after such period as the Administrator finds \* \* \* necessary to permit the development and application of the requisite technology, \* \* \* except that the effective date shall not be more than 2 years after promulgation of such regulation.

According to API, this requirement that the "effective date" be no more than 2 years from promulgation does not necessarily mean that facilities necessarily must complete installation of control equipment within that period. Indeed, API notes that section 112(d) regulations are effective upon promulgation, but the Agency is free to establish a compliance date for existing sources of up to 3 years from the effective date.

According to API, the use of the term "reasonably available control technology" and imprecision of the term "effective date" in section 183(f)(1)(B), as well as the provision's directive that the Agency consider the "development and application of the requisite technology," would appear to provide EPA with the latitude to fashion a solution similar to the one the Agency arrived at arising under section 211. In a rulemaking pursuant to section 211(b), the Agency prescribed testing requirements for fuels and fuel additives. The Agency initially took the position that all testing had to have been completed and submitted to the Agency within 3 years of the Section 211 rule's promulgation date. API presented evidence demonstrating that it would be