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the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition

for judicial review must 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)). The Office of Management and Budget
(OMB) has exempted this regulatory

action from E.O. 12866 review. List of Subjects in 40 CFR Part 52 Environmental protection, Air pollution control, Carbon monoxide, Hydrocarbons, Incorporation by

reference, Intergovernmental relations, Nitrogen dioxide, Particulate matter, Reporting and recordkeeping

requirements, Sulfur dioxide, Volatile organic compounds. Dated: February 17, 1995. Jack McGraw, Acting Regional Administrator. 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 BB—Montana

2. Section 52.1370 is amended by
adding paragraph (c)(36) to read as

follows: § 52.1370 Identification of plan. * * * * *

(c) * * *
(36) The Governor of Montana
submitted PM10 contingency measures

for Butte, Montana in a letter dated August 26, 1994. This submittal also

contained revisions to the attainment and maintenance demonstrations for the moderate PM10 nonattainment area SIP, due to modifications made to the Air Quality Permit for Montana Resources, Inc.(i) Incorporation by reference. (A) Board order issued on May 20, 1994 by the Montana Board of Health

and Environmental Sciences approving
the amendments to the Butte/Silver Bow
Air Pollution Control Program regarding

the PM10 contingency measure. (B) Butte/Silver Bow Ordinance No. 468, effective May 20, 1994, which

addresses PM10 contingency measure

requirements for liquid de-icer application. (ii) Additional material. (A) Montana Department of Health

and Environmental Sciences Air Quality

Permit #1749–05, as revised with a final modification date of January 5, 1994, for Montana Resources, Inc.’s open pit copper and molybdenum mine, crushing and milling operation, and

concentrator. * * * * *

[FR Doc. 95–7004 Filed 3–21–95; 8:45 am] BILLING CODE 6560–50–P

40 CFR Part 52

[CA–65–1–6859; FRL–5168–7] Clean Air Act Approval and Promulgation of Title V, Section 507, Small Business Stationary Source Technical and Environmental Compliance Assistance Program for California AGENCY: Environmental Protection Agency (EPA). ACTION: Final rule. SUMMARY: On May 31, 1994 EPA

published the Notice of Proposed Rulemaking to approve the State
Implementation Plan (SIP) revision
submitted by the State of California for

the purpose of establishing a Small Business Stationary Source Technical and Environmental Compliance Assistance Program (PROGRAM). The SIP revision plan 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. The rationale for

the approval was set forth in the proposal. EPA received one comment

from the Southern California Gas Company which does not impact the proposed action. Therefore, EPA is proceeding with its approval of the
revision to the California SIP for establishing a PROGRAM. EFFECTIVE DATE: This rule will become
effective on April 21, 1995. ADDRESSES: Copies of the documents

relevant to this action are available for public inspection during normal business hours at the following

locations: U.S. Environmental Protection Agency, 75 Hawthorne Street, San Francisco, CA 94105 U.S. Environmental Protection Agency, Air Docket 6102, 401 ‘‘M’’ Street, S.W., Washington, D.C., 20460. State of California, Air Resources Board, 2020 L Street, Sacramento, CA 95814.

FOR FURTHER INFORMATION CONTACT: R. Michael Stenburg, A–1, U.S

Environmental Protection Agency, 75 Hawthorne Street, San Francisco, CA

94105, (415) 744–1102. SUPPLEMENTARY INFORMATION:
I. Background

Implementation of the provisions of
the Clean Air Act (CAA), as amended in
1990, will require regulation of many
small businesses so that areas may

attain and maintain the national ambient air quality standards (NAAQS) and reduce the emission of air toxics. Small businesses frequently lack the
technical expertise and financial resources necessary to evaluate such
regulations and to determine the

appropriate mechanisms for compliance. In anticipation of the

impact of these requirements on small businesses, the CAA requires that States adopt a Small Business Stationary Source Technical and Environmental Compliance Assistance Program

(PROGRAM), and submit this PROGRAM as a revision to the Federally
approved SIP. In addition, the CAA

directs the Environmental Protection Agency (EPA) to oversee these small business assistance programs and report

to Congress on their implementation. The requirements for establishing a PROGRAM are set out in Section 507 of Title V of the CAA. In February 1992, EPA issued Guidelines for the

Implementation of Section 507 of the 1990 Clean Air Act Amendments, in
order to delineate the Federal and State

roles in meeting the new statutory provisions and as a tool to provide
further guidance to the States on

submitting acceptable SIP revisions. On November 13, 1992 the State of California submitted a SIP revision to EPA in order to satisfy the requirements of Section 507. In order to gain full approval, the State submittal must provide for each of the following PROGRAM elements: (1) the

es tablishment of a Small Business Assistance Program (SBAP) to provide

technical and compliance assistance to

s mall businesses; (2) the establishment of a State Small Business Ombudsman

to represent the interests of small businesses in the regulatory process; and (3) the creation of a Compliance Advisory Panel (CAP) to determine and

r eport on the overall effectiveness of the SBAP. A detailed discussion of the background for each of the above PROGRAM elements is provided in the May 31, 1994 Federal Register Notice of Proposed Rulemaking (NPR) (59 FR

28036).

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EPA has evaluated all of the above PROGRAM elements for consistency with the requirements of the CAA and
the EPA policy guidance document. EPA has found that the PROGRAM
elements meet the applicable EPA
requirements. A detailed discussion of
the PROGRAM elements and

evaluations has been provided in the May 31, 1994 Federal Register NPR (59 FR 28036).

II. Response to Public Comments A 30-day public comment period was provided in the May 31, 1994 Federal Register NPR. EPA received one
comment from the Southern California Gas Company (Gas Company). The Gas Company commented that governmental assistance and education programs

should present factual and objective

information on fuels and fuel use

characteristics without encouraging the
selection of a particular fuel or

technology. Since the PROGRAM does not advocate the use of any particular
fuel but rather serves to provide small businesses with technical assistance and
regulatory information necessary to
comply with the CAA, EPA did not find

this comment to be in conflict with the SIP revision. Thus this comment does not effect the EPA’s proposal to approve

the PROGRAM.
III. Final Action
EPA is approving the SIP revisions
submitted by the State of California. The
revisions were made to satisfy the

requirements of Section 507 of the CAA. The OMB has exempted this action

from review under Executive Order 12866. 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 population of less
than 50,000. By this action, EPA is approving a State program created for the purpose of assisting small businesses in complying with existing statutory and regulatory

re quirements. The program being

approved today does not impose any new regulatory burden on small businesses; it is a program under which

small businesses may elect to take
advantage of assistance provided by the

state. Therefore, because the EPA’s approval of this program does not

impose any new regulatory

requirements on small businesses, I certify that it does not have a significant economic impact on any small entities affected. List of Subjects in 40 CFR Part 52 Environmental protection, Air pollution control, Incorporation by
reference, Small business assistance program. 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: February 24, 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)(200) to read as

follows: § 52.220 Identification of plan. * * * * *

(c) * * *
(200) Program elements were

submitted on November 13, 1992 by the Governor’s designee. (i) Incorporation by reference. (A) Small Business Stationary Source Technical and Environmental Compliance Assistance Program, adopted on October 15, 1992. * * * * *

[FR Doc. 95–7006 Filed 3–21–95; 8:45 am] BILLING CODE 6560–50–P

40 CFR Part 52

[CA 38–2–6232a; FRL–5171–3] Approval and Promulgation of

Implementation Plans; California State

Implementation Plan Revision, Bay Area Air Quality Management District

(BAAQMD) AGENCY: Environmental Protection Agency (EPA). ACTION: Direct final rule. SUMMARY: EPA is taking direct final action on revisions to the California State Implementation Plan (SIP). The

revisions concern seventeen rules from

the Bay Area Air Quality Management District (BAAQMD). This approval action will incorporate these rules into

the federally approved SIP. The
intended effect of approving these rules

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 rules control VOC emissions from a number of different source categories. These

categories are described in the

supplementary information section. Thus, EPA is finalizing the approval of
these revisions 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. DATES: This final rule is effective on May 22, 1995 unless adverse or critical comments are received by April 21, 1995. If the effective date is delayed, a
timely notice will be published in the Federal Register. ADDRESSES: Copies of the rule revisions and EPA’s evaluation report for each

rule are available for public inspection

at EPA’s Region IX office during normal business hours. Copies of the submitted
rule revisions 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, S.W., Washington, D.C. 20460. California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 2020 ‘‘L’’ Street, Sacramento, CA 92123–1095. Bay Area Air Quality Management District, 939 Ellis Street, San
Francisco, CA 94109. FOR FURTHER INFORMATION CONTACT: Erik Beck, 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) 744–1190. Internet E-mail address: Beck.Erik@epamail.epa.gov. SUPPLEMENTARY INFORMATION: Coating Categories This document takes direct final action on seventeen BAAQMD rules. These rules cover the following VOC

emission categories: general cleaning operations; miscellaneous solvent usage; general surface coating; gasoline dispensing; graphic arts facilities and
paper, fabric, and film coating; asphalt use; pharmaceutical and cosmetic manufacturing; semiconductor manufacturing; plastic parts coating;