

2. Section 934.15 is amended by revising the heading and by adding paragraph (t) to read as follows:

**§ 934.15 Approval of amendments to the North Dakota regulatory program.**

\* \* \* \* \*  
(t) With the exception of NDAC 69-05.2-16-09(20) (to the extent that it addresses sedimentation ponds that do not meet the criteria of 30 CFR 77.216 but do meet SCS Class B or C criteria), revisions to the following rules, as submitted to OSM on November 10, 1994, are approved effective April 13, 1995.

North Dakota Administrative Code (NDAC) 69-05.2-04-07(3)(a), lands unsuitable for mining; NDAC 69-05.2-05-09, permit applications (permit monitoring plans); NDAC 69-05.2-06-01(2), permit applications (identification of interests); NDAC 69-05.2-06-02(6), permit applications (compliance information); NDAC 69-05.1-10-03(5), criteria for permit approval; NDAC 69-05.2-11-01(1)(d), permit revisions; NDAC 69-05.2-11-03(5)(c), permit renewals; NDAC 69-05.2-11-06(1)(c), transfer, sale, or assignment of permit rights; NDAC 69-05.2-12-09(2), performance bond (period of liability); NDAC 69-05.2-15-02(2a), performance standards (suitable plant growth material); NDAC 69-05.2-16-09(7) and (20), performance standards (sediment ponds); NDAC 69-05.2-21-01(2) performance standards (backfilling and grading, timing requirements); and NDAC 69-05.2-28-03(6), inspection and enforcement (cessation orders).

**§ 934.16 [Amended]**

3. Section 934.16 is amended by removing and reserving paragraph (u).

[FR Doc. 95-9176 Filed 4-12-95; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[PA37-1-6370a; FRL-5188-2]

**Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Withdrawal of Final Rule Pertaining to the Promulgation of SO<sub>2</sub>: Conewango Township, Warren County Implementation Plan**

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

**ACTION:** Withdrawal of direct final rule.

**SUMMARY:** On February 15, 1995, EPA published a final rule approving a revision to the State implementation plan for the Commonwealth of Pennsylvania. The revision provides for, and demonstrates, the attainment of the national ambient air quality standards

(NAAQS) for sulfur oxides in the Conewango Township, Warren County nonattainment area. This action was published without prior proposal because EPA anticipated no adverse comment. Because EPA received adverse comments on this action, EPA is withdrawing the February 15, 1995 final rulemaking action pertaining to the State implementation plan for Pennsylvania.

**EFFECTIVE DATE:** April 13, 1995.

**FOR FURTHER INFORMATION CONTACT:** David J. Campbell, Air Programs (3AT22), U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107, phone: 215 597-9781.

**SUPPLEMENTARY INFORMATION:** On February 15, 1995, EPA published a final rule to approve a revision to the Commonwealth of Pennsylvania State implementation plan (SIP) (60 FR 8566). The revision provides for, and demonstrates, the attainment of the national ambient air quality standards (NAAQS) for sulfur oxides in the Conewango Township, Warren County nonattainment area. The implementation plan was submitted by Pennsylvania to satisfy the requirements of the Clean Air Act (CAA) pertaining to nonattainment areas. EPA approved this direct final rulemaking without prior proposal because the Agency viewed it as noncontroversial and anticipated no adverse comments. The final rule was published in the Federal Register with a provision for a 30-day comment period. At the same time, EPA published a proposed rule which announced that this final rule would convert to a proposed rule in the event that adverse comments were submitted to EPA within 30 days of publication of the rule in the Federal Register (60 FR 8612). By publishing a notice announcing withdrawal of the final rulemaking action, this action would be withdrawn. EPA received adverse comment within the prescribed comment period.

Therefore, EPA is withdrawing the February 15, 1995 final rulemaking action pertaining to the Pennsylvania SIP for sulfur oxides. All public comments received will be addressed in a subsequent rulemaking action based on the proposed rule.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Reporting and recordkeeping requirements, Sulfur Oxides.

Dated: March 30, 1995.

Stanley Laskowski,

*Acting Regional Administrator, Region III.*

[FR Doc. 95-9045 Filed 4-12-95; 8:45 am]

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**40 CFR Part 52**

[OAQPS CA38-5-6959; FRL-5184-3]

**Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, South Coast Air Quality Management District**

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

**ACTION:** Final rule.

**SUMMARY:** EPA is finalizing the approval of revisions to the California State Implementation Plan (SIP) proposed in the Federal Register on June 2, 1994. The revisions concern rules from the South Coast Air Quality Management District (SCAQMD). 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 Pleasure Craft Coating Operations and set general recordkeeping requirements for VOC emissions. 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.

**EFFECTIVE DATE:** This action is effective on May 15, 1995.

**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, SW., Washington, DC 20460.

South Coast Air Quality Management District, 21865 East Copley Drive, Diamond Bar, CA 91765-4182.

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 2020 L Street, Sacramento, CA 95814.