

part 58 were proposed on August 18, 1994 (59 FR 42541) to address the application, siting, and operational quality assurance of open path analyzers, and supplemental quality assurance guidance is in preparation. Until these regulatory amendments are promulgated and the supplemental guidance for open path analyzers is available, monitoring agencies interested in using these methods should contact the U.S. EPA for interim guidance pertaining to network design, siting, and quality assurance issues. The EPA contact person for information on these issues is Ms. Lee Ann B. Byrd, Monitoring and Quality Assurance Group, Office of Air Quality Planning and Standards, telephone number (919) 541-5367.

Vendor modifications of a designated method used for purposes of part 58 are permitted only with prior approval of EPA, as provided in part 53. Provisions concerning modification of such methods by users are specified under section 2.8 of appendix C to 40 CFR part 58 (Modifications of Methods by Users).

In general, one of these designations will apply to any analyzer which is identical to the analyzer described in the designation. In some cases, similar analyzers manufactured prior to the designation may be upgraded (e.g., by minor modification or by substitution of a new operation or instruction manual) so as to be identical to the designated method and thus achieve designation status at a modest cost. The manufacturer should be consulted to determine the feasibility of such upgrading.

Part 53 requires that sellers of designated methods comply with certain conditions. These conditions are given in 40 CFR 53.9 and are summarized below:

- (1) A copy of the approved operation or instruction manual must accompany the analyzer when it is delivered to the ultimate purchaser.
- (2) The analyzer must not generate any unreasonable hazard to operators or to the environment.
- (3) The analyzer must function within the limits of the performance specifications given in table B-1 of part 53 for at least one year after delivery when maintained and operated in accordance with the operation manual.
- (4) Any analyzer offered for sale as a reference or equivalent method must bear a label or sticker indicating that it has been designated as a reference or equivalent method in accordance with part 53.
- (5) If such an analyzer has two or more selectable ranges, the label or sticker must be placed in close

proximity to the range selector and indicate which range or ranges have been included in the reference or equivalent method designation.

(6) An applicant who offers analyzers for sale as reference or equivalent methods is required to maintain a list of ultimate purchasers of such analyzers and to notify them within 30 days if a reference or equivalent method designation applicable to the analyzers has been canceled or if adjustment of the analyzers is necessary under 40 CFR 53.11(b) to avoid a cancellation.

(7) An applicant who modifies an analyzer previously designated as a reference or equivalent method is not permitted to sell the analyzer (as modified) as a reference or equivalent method (although he may choose to sell it without such representation), nor to attach a label or sticker to the analyzer (as modified) under the provisions described above, until he has received notice under 40 CFR 53.14(c) that the original designation or a new designation applies to the method as modified or until he has applied for and received notice under 40 CFR 53.8(b) of a new reference or equivalent method determination for the analyzer as modified.

Aside from occasional breakdowns or malfunctions, consistent or repeated noncompliance with any of these conditions should be reported to: Director, Atmospheric Research and Exposure Assessment Laboratory, Department E (MD-77), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711.

Designation of these equivalent methods is intended to provide assistance to the States in establishing and operating their air quality surveillance systems under part 58. Technical questions concerning the method should be directed to the distributor. Additional information concerning this action may be obtained from Frank F. McElroy, Methods Research and Development Division (MD-77), Atmospheric Research and Exposure Assessment Laboratory, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, (919) 541-2622.

**Henry L. Longest II,**

*Acting Assistant Administrator for Research and Development.*

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**Clean Air Act Advisory Committee  
Notice of Meeting**

**SUMMARY:** The Environmental Protection Agency (EPA) established the Clean Air Act Advisory Committee (CAAAC) on November 19, 1990 to provide independent advice and counsel to EPA on policy issues associated with the implementation of the Clean Air Act of 1990. The Advisory Committee shall be consulted on economic, environmental, technical, scientific, and enforcement policy issues.

**OPEN MEETING NOTICE:** Pursuant to 5 U.S.C. App. 2 § 10(a)(2), notice is hereby given that the Clean Air Act Advisory Committee will hold its next open meeting on Friday, June 2, 1995 from 8:30 a.m.-4:30 p.m. at the Sheraton at Woodbridge 515 Rt 1 South and Gill Lane, Iselin, New Jersey. Seating will be available on a first come, first served basis. The three subcommittees of the CAAAC (Permits/NSR/Toxics Integration, Economic Incentives and Regulatory Innovation and Linking Energy, Transportation and Air Quality Concerns) will be conducting meetings at the Sheraton at Woodbridge on Thursday, June 1, from 7:00 p.m.-10:00 p.m. Subcommittee meeting times may change at the discretion of the co-chairs.

The agenda will include a discussion of the open market trading rule, Employee Commuter Options (ECO), regulatory reform and a report from the OTC-LEV subcommittee.

**INSPECTION OF COMMITTEE DOCUMENTS:** The committee agenda and any documents prepared for the meeting will be publicly available at the meeting. Thereafter, these documents, together with the CAAAC meeting minutes will be available for public inspection in EPA Air Docket Number A-94-34 in Room 1500 of EPA Headquarters 401 M Street, S.W., Washington, D.C.

**FOR FURTHER INFORMATION** concerning this meeting of the CAAAC please contact Karen Smith, Office of Air and Radiation, US EPA (202) 260-6379, FAX (202) 260-5155, or by mail at US EPA, Office of Air and Radiation (Mail Code 6101), Washington, D.C. 20460. If you would like to receive an agenda for this meeting, please leave your fax number on Ms. Smith's voice mail.

Dated: April 21, 1995.

**Mary D. Nichols,**

*Assistant Administrator for Air and Radiation.*

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