

**PART 682—FEDERAL FAMILY EDUCATION LOAN PROGRAM**

1. The authority citation for part 682 continues to read as follows:

**Authority:** 20 U.S.C. 1071 to 1087-2, unless otherwise noted.

**§§ 682.305, 682.401, 682.404, 682.603 [Amended]**

2. Sections 682.305, 682.401, 682.404, and 682.603 are amended by republishing the OMB control number following each section to read as follows:

“(Approved by the Office of Management and Budget under control number 1840-0538)”

[FR Doc. 95-14665 Filed 6-14-95; 8:45 am]

BILLING CODE 4000-01-P

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 52**

[AZ50-1-6966a; FRL-5187-8]

**Clean Air Act Approval and Promulgation of Title V, Section 507, Small Business Stationary Source Technical and Environmental Compliance Assistance Program for Arizona**

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

**ACTION:** Direct final rule.

**SUMMARY:** EPA is taking direct final action on revisions to the Arizona State Implementation Plan. On June 23, 1994 EPA published the Notice of Proposed Rulemaking to partially approve and partially disapprove the State Implementation Plan (SIP) revision submitted by the State of Arizona for the purpose of establishing a Small Business Stationary Source Technical and Environmental Compliance Assistance Program (PROGRAM). The cause of the proposed disapproval has since been corrected by the State. Thus, EPA is finalizing approval of these revisions into the Arizona SIP under provisions of the CAA regarding EPA action on SIP submittals and plan requirements for establishing a PROGRAM.

**DATES:** This action is effective on August 14, 1995 unless adverse or critical comments are received by July 17, 1995. If the effective date is delayed, a timely notice will be published in the **Federal Register**.

**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

Arizona Department of Environmental Quality, 3033 North Central Avenue, Phoenix, Arizona 85012.

**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 Arizona 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 establishment of a Small Business Assistance Program (SBAP) to provide technical and compliance assistance to small 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 report on the overall effectiveness of the SBAP. A detailed discussion of the background for each of the above PROGRAM elements is provided in the June 23, 1994 **Federal Register** Notice of Proposed Rulemaking (NPR). EPA proposed to partially disapprove the November 13, 1992 submittal for not satisfying the Small Business Assistance Program requirement to develop procedures for consideration of requests from a small business stationary source for modification of: (A) Any work practice or technological method of compliance; or (B) the schedule of milestones for implementing such work practice or method of compliance preceding any applicable compliance date, based on the technological and financial capability of any such small business stationary source. On September 12, 1994 the State held a public hearing which adopted the aforementioned procedure for considering modification requests. On February 1, 1995 the State submitted the procedure which became effective on February 1, 1995, for approval as a SIP revision.

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 all the PROGRAM elements now meet the applicable EPA requirements. A detailed discussion of the background for each of the above PROGRAM elements is provide both in this **Federal Register** and in the June 23, 1994 **Federal Register** Notice of Proposed Rulemaking (NPR).

**II. Response to Public Comments**

A 30-day public comment period was provided in the June 23, 1994 **Federal Register** NPR. EPA received no public comments.

**III. Final Action**

EPA is approving the SIP revisions submitted by the State of Arizona. The revisions were made to satisfy the requirements of Section 507 of the CAA.

EPA is publishing this notice 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 August 14, 1995 unless, by July 17, 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 notice 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 August 14, 1995.

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 populations 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 requirements. 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, Intergovernmental relations.

**Note:** Incorporation by reference of the State Implementation Plan for the State of Arizona was approved by the Director of the Federal Register on July 1, 1982.

Dated: March 27, 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 D—Arizona**

2. Section 52.120 is amended by adding paragraphs (c) (72) and (76) to read as follows:

**§ 52.120 Identification of plan.**

\* \* \* \* \*

(c) \* \* \*

(72) 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 November 13, 1993.

\* \* \* \* \*

(76) Program elements were submitted on February 1, 1995 by the Governor's designee.

(i) Incorporation by reference.

(A) Small Business Stationary Source Technical and Environmental Compliance Assistance Program, adopted on February 1, 1995.

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BILLING CODE 6560-50-P

**40 CFR Part 52**

[IN32-2-7011; FRL-5208-4]

**Approval and Promulgation of Implementation Plans; Indiana**

**AGENCY:** United States Environmental Protection Agency (USEPA).

**ACTION:** Final rule.

**SUMMARY:** On March 31, 1995, the USEPA proposed approval of a State Implementation Plan (SIP) request for Lake County, Indiana. The request was submitted by the State of Indiana for the purpose of bringing about the attainment of the National Ambient Air Quality Standards (NAAQS) for particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers (PM). Public comments were solicited on the proposed SIP revision, and on USEPA's proposed rulemaking action. The public comment period ended on May 1, 1995, and no public comments were received. This rulemaking action approves, in final, the PM SIP revision request for Lake County, Indiana as requested by Indiana.

**EFFECTIVE DATE:** This final rule is effective on July 17, 1995.

**ADDRESSES:** Copies of the State's submittal, and other materials relating to this rulemaking are available at the following address for review: United States Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604.

The docket may be inspected between the hours of 8:30 a.m. and 12 noon and from 1:30 p.m. until 3:30 p.m. Monday through Friday. A reasonable fee may be charged by the USEPA for copying docket material.

A copy of this SIP revision is available for inspection at: Office of Air and Radiation (OAR), Docket and Information Center (Air Docket 6102), Room 1500, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460.

**FOR FURTHER INFORMATION CONTACT:** David Pohlman, Regulation Development Branch, Regulation Development Section (AR-18J), U.S. Environmental Protection Agency, Region 5, Chicago, Illinois 60604, (312) 886-3299. Anyone wishing to visit the Region 5 offices should first contact David Pohlman.

**SUPPLEMENTARY INFORMATION:**

**Background**

Under section 107(d)(4)(B) of the Clean Air Act (Act), as amended on November 15, 1990 (amended Act), certain areas ("initial areas") were designated nonattainment for PM. Under section 188 of the amended Act these initial areas were classified as "moderate". The initial areas include the Lake County, Indiana, nonattainment area. (See 40 CFR 81.314 for a complete description of these areas.) Section 189 of the amended Act required State submission of a PM SIP for the initial areas by November 15, 1991.

Section 110(k) of the Act sets out provisions governing USEPA's review of SIP submittals (see 57 FR 13565-13566). In this final rule, USEPA is approving the SIP revision request submitted to USEPA on June 16, 1993, and supplemented on December 9, 1993, September 8, 1994, and November 17, 1994, for the Lake County nonattainment area. The submittal repeals rules 326 Indiana Administrative Code (IAC) 5-1-6, 6-1-10, and 6-1-11. The submittal contains the following new or revised rules: