

installments in a similar fashion. In the case of weekly or daily television series, applicants should first request guidance as to the proper deposit from the Performing Arts Section of the Examining Division.

(ii) *Group of related works.* A group of related works may be registered on the Form *GATT/GROUP*, provided the following conditions are met: The author is the same for all works in the group; the owner of all United States rights is the same for all works in the group; all works must have been published in the same calendar year; all works must fit within the same subject matter category [*i.e.* literary works, musical work, motion picture, etc.]; and there must be at least two and not more than 10 individual works in the group submitted. Applicants registering a group of related works must file for registration on the Form *GATT/GROUP*. The fee for registering a group of related works is \$10 per individual work.

(d) *Works excluded.* Works which are not copyrightable subject matter under title 17 of the U.S. Code, other than sound recordings fixed before February 15, 1972, should not be registered as restored copyrights.

Dated: July 3, 1995.

Marilyn J. Kretsinger,

Acting General Counsel.

Approved by:

James H. Billington,

The Librarian of Congress.

[FR Doc. 95-16765 Filed 7-7-95; 8:45 am]

BILLING CODE 1410-30-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[OH21-1-6989; FRL-5255-9]

Approval and Promulgation of Implementation Plans; Ohio

AGENCY: U.S. Environmental Protection Agency (USEPA).

ACTION: Proposed rule.

SUMMARY: The USEPA is proposing approval of revisions to the Ohio State Implementation Plan (SIP) adopted by the Ohio Environmental Protection Agency (OEPA) on March 15, 1993, and December 30, 1994. The USEPA's proposal is based upon a revision request to satisfy the requirements of the Clean Air Act, which was submitted by the State to the USEPA on June 7, 1993, and February 17, 1995. The revisions concern Ohio Administrative Code (OAC) Chapter 3745-21, "Carbon Monoxide, Ozone, Hydrocarbon Air

Quality Standards, and Related Emission Requirements," and this proposed action addresses volatile organic compound (VOC) reasonably available control technology (RACT) for major sources not covered by a control techniques guideline (CTG) located in the Cleveland/Akron/Lorain and Cincinnati nonattainment areas. The USEPA has evaluated the revisions to Rules 04 and 09, along with a letter committing to publish Findings and Orders correcting deficiencies in the rules, submitted by OEPA on June 21, 1995, and two permits to install (PTI) which OEPA has committed to submit as SIP revisions. USEPA proposes to approve the requested revisions, which establish site-specific non-CTG VOC RACT regulations. The approval will not be finalized until Ohio issues the completed Findings and Orders, and allows public comment on them, and submits the permits to install as SIP revisions. Subsequent to review of these Findings and Orders, USEPA will take final action on the requested revisions through the letter notice process. The effective date of this SIP revision will be the date that the letter notice is issued.

DATES: Comments on this revision and on the proposed U.S.EPA action must be received by August 9, 1995.

ADDRESSES: Written comments should be addressed to: William L. MacDowell, Chief, Regulation Development Section, Air Enforcement Branch (AE-17J), United States Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

Copies of the SIP revision request and USEPA's analysis are available for public inspection during normal business hours at the following address: United States Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard (AE-17J), Chicago, Illinois 60604; and Office of Air and Radiation (OAR), Docket and Information Center (Air Docket (6102) room M1500, United States Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Alexis Cain, Air Enforcement Branch, Regulation Development Section (AE-17J), United States Environmental Protection Agency, Region 5, Chicago, Illinois 60604, (312) 886-7018.

SUPPLEMENTARY INFORMATION:

I. Background

On November 15, 1990, amendments to the 1977 Clean Air Act (CAA) were enacted. Pub. L. 101-549, 104 Stat. 2399, codified at 42 U.S.C. 7401-7671q. Under the pre-amended CAA, ozone

nonattainment areas were required to adopt reasonably available control technology (RACT) rules for sources of volatile organic compound (VOC) emissions. VOCs contribute to the production of ground level ozone and smog. These rules were required as part of an effort to achieve the National Ambient Air Quality Standard for ozone.

RACT, as defined in 40 CFR 51.100(o), means devices, systems process modifications, or other apparatus or techniques that are reasonably available taking into account (1) the necessity of imposing such controls in order to attain and maintain a national ambient air quality standard, (2) the social, environmental and economic impact of such controls, and (3) alternative means of providing for attainment and maintenance of such standard. The USEPA issued three sets of control technique guidelines (CTGs) documents, establishing a "presumptive norm" for RACT for various categories of VOC sources. Those sources not covered by a CTG were called non-CTG sources. The USEPA determined that a given nonattainment area's SIP-approved attainment date established which RACT rules the area needed to adopt and implement. Under pre-amended section 172(a)(1), ozone nonattainment areas were generally required to attain the ozone standard by December 31, 1982. Those areas that projected attainment by that date were required to adopt RACT for sources covered by the Group I and II CTGs. Those areas that sought an extension of the attainment date under section 172(a)(2) to as late as December 31, 1987, were required to adopt RACT for all CTG sources and for all major (*i.e.*, having a potential to emit 100 tons per year or more of VOC emissions) non-CTG sources.

Section 182(b)(2) of the amended Act requires States to adopt RACT rules for all areas designated nonattainment for ozone and classified as moderate or above. There are three parts to the section 182(b)(2) RACT requirement: (1) RACT for sources covered by an existing CTG, *i.e.*, a CTG issued prior to the enactment of the Clean Air Act Amendments of 1990; (2) RACT for sources covered by a post-enactment CTG; and (3) all major sources not covered by a CTG. The non-CTG requirement includes unregulated emission units within a source if they total more than 100 tons per year in the aggregate. Section 182(b)(2) requires nonattainment areas that previously were exempt from RACT requirements to "catch up" to those nonattainment areas that became subject to those

requirements during an earlier period. In addition, it requires newly designated ozone nonattainment areas to adopt RACT rules consistent with those for previously designated nonattainment areas.

This proposed action addresses VOC RACT for site-specific non-CTG sources located in the Cleveland/Akron/Lorain and Cincinnati nonattainment areas. Non-CTG RACT for the other areas of Ohio designated moderate or above, Toledo and Dayton-Springfield, has been addressed in a separate rulemaking in the **Federal Register** on March 23, 1995 (60 FR 15235-15241) along with RACT for CTG sources.

The following is the USEPA's evaluation of the submitted revisions to Ohio Administrative Code (OAC) Chapter 3745-21 "Carbon Monoxide, Ozone, Hydrocarbon Air Quality Standards, and Related Emission Requirements," including the following amendments: 3745-21-01, Definitions, 3745-21-04, Attainment Dates and Compliance Time Schedules, and 3745-21-09, Control of Emissions of Volatile Organic Compounds from Stationary Sources.

II. USEPA Evaluation and Action

In determining the approvability of a VOC rule, the USEPA must evaluate the rule for consistency with the requirements of the Act and USEPA regulations, as found in section 110 and Part D of the Act and 40 CFR part 51 (Requirements for Preparation, Adoption, and Submittal of Implementation Plans). A detailed analysis of the submittals and discussion of the USEPA's basis for proposing approval is contained in a USEPA Technical Support Document (TSD) dated June 23, 1995.

This action addresses VOC regulations applying to non-CTG sources. The USEPA finds that Ohio's non-CTG VOC RACT rules for sources located in the Cleveland/Akron/Lorain and Cincinnati nonattainment areas are approvable. These rules had previously been disapproved by USEPA in the **Federal Register** for May 9, 1994 (59 FR 23796-23799) as a result of deficiencies cited in the **Federal Register** on September 23, 1993 (58 FR 49458-49463). For four of the site-specific rules, approval is contingent upon issuance by the Ohio Environmental Protection Agency (OEPA) of Findings and Orders which correct deficiencies in the rules. A rule establishing RACT for one additional company, Sprayon Products, for which there is no current rule, will be contained in an additional Finding and Order. In a June 21, 1995 letter to USEPA, OEPA has committed

to publish these Findings and Orders. Subsequent to review of these Findings and Orders, USEPA will take final action on the requested revisions through a letter notice to OEPA and the affected sources. The effective date of the revisions will be the date that the letter notice is issued. Interested parties wishing to comment on these revisions or on USEPA approval by means of the letter notice must submit written comments by August 9, 1995.

A discussion of these rules, contained in OAC 3745-21-09, follows.

(FF) Steelcraft Manufacturing Co., Cincinnati

The deficiency previously cited by USEPA (lack of sufficient recordkeeping and reporting requirements) has been corrected by subjecting this source to the recordkeeping and reporting requirements of paragraph (B)(3), previously approved by USEPA.

(GG) Chevron USA, Incorporated, Cincinnati Area

Recordkeeping requirements have been added to this rule to ensure enforceability, thus correcting the deficiency previously cited by USEPA.

(HH) Goodyear Tire and Rubber Co., Akron, Massillon Road

Recordkeeping requirements have been added to this rule to ensure enforceability, thus correcting the deficiency previously cited by USEPA.

(II) International Paper Co., Springdale

This source is an offset lithographic printer, a category for which a draft CTG was published on December 12, 1992, although no final CTG was published. A Finding and Order issued by OEPA will require that the alcohol content in the fountain solution be no greater than 8.5 percent by volume, and that the fountain be refrigerated to 60 °F, which was determined to be RACT in the draft CTG. In addition, the rule imposes limits on the VOC content of coatings and inks which were determined to be the lowest available, based on correspondence between the company and vendors of coatings and inks.

(JJ) Goodyear Tire and Rubber Co., Akron, Tech Way Drive

USEPA concerns about a provision allowing the use of an alternative method and/or procedure to Goodyear Method E-826 (Revision 1, 1983) for determining residual monomer content have been addressed by inclusion in the rule of language requiring that this alternative method and/or procedure be approved by the USEPA as a SIP revision. Another USEPA-cited

deficiency has been corrected by adding requirements for daily analyses and recordkeeping on residual monomer content in polymer blend tanks.

(KK) Morton Thiokol, Cincinnati

This rule requires the company to control VOC emissions from its methyltin production processes through use of a VOC recovery system which achieves at least 70 percent control efficiency. Control efficiency must be calculated weekly, and failure to achieve adequate control efficiency must be reported. In addition, the railcar unloading process must be a closed-loop system which uses compressed VOC for unloading, without any venting into the atmosphere. Previously cited deficiencies have been corrected through addition to the rule of a requirement that determination of VOC usage and recovery be performed on a daily basis to calculate a weekly average for purposes of compliance determination, and by an explanation by the company and Ohio of the closed-loop unloading process.

(LL) Lubrizol Corporation, Painesville (Cleveland Area)

Recordkeeping requirements have been added to paragraph (3)(a) of this rule to ensure enforceability, addressing a deficiency previously cited by USEPA.

(MM) PPG Industries, Inc., Cleveland

A deficiency previously cited by USEPA (lack of sufficient recordkeeping and reporting requirements) has been corrected by subjecting this source to the recordkeeping and reporting requirements of paragraph (B)(4). In addition, a definition of the term "control system" has been added to paragraph 3745-21-01(Q), eliminating another previously-cited deficiency.

(NN) Midwest Mica, Cleveland

Midwest Mica creates electrical insulation products using mica chips held together by resins. The rule requires emissions from each of the coating or laminating lines to be vented to a control device achieving 98 percent destruction of VOCs. However, the rule lacks a requirement for capture efficiency. A Finding and Order issued by OEPA will correct this deficiency by requiring 81 percent total control efficiency (taking into account both capture and destruction) and referencing USEPA test methods for determining capture efficiency. Lines which employ less than five tons of VOCs per year are exempted from this requirement, but the company must keep monthly records documenting emissions from these lines, and report

emission levels which exceed five tons per year. Recordkeeping requirements for the control device are covered by paragraph (B)(3).

(OO) Armco Steel Company, Middletown (Cincinnati Area)

RACT for this facility involves the use of rolling oil, rust preventative oil, pre-lube oil and anti-galling material with the lowest available VOC content. USEPA cited deficiencies in the rule as a result of the company's failure to demonstrate that the VOC content of rolling oil and anti-galling material used is the lowest available. For anti-galling material, this deficiency has been corrected through the use of a water-based material. A Finding will state a new limit on pounds of VOC per gallon of anti-galling material. For rolling oil, this deficiency has been addressed through provision of correspondence with vendors stating that the oil in use has the lowest VOC content available. The Finding will correct the limit on VOC content per gallon for rolling oil and rust preventative oil, and provide a VOC content limit for pre-lube oil. Previous limits in the rule were based on an incorrect application of ASTM method D2369-81 to the oils in use. Actual emissions of VOCs per gallon of oil applied are a small fraction of the total VOC content, since most of the oil is recovered and recycled. Additional USEPA concerns about the lack of recordkeeping and reporting requirements have been addressed by making Rule 09(OO) subject to the recordkeeping and reporting requirements in paragraph (B)(3).

(PP) Formica Corporation, Cincinnati

The deficiency previously cited by USEPA (lack of sufficient recordkeeping requirements) has been corrected by subjecting this source to the requirements of paragraph (B)(3).

(QQ) DayGlo Color Corporation, Cleveland

This rule requires the company to use a vacuum system consisting of a vacuum pump and condenser as a filtration system which separates methanol from solid dye. Each mixing vessel larger than 400 gallons must be completely covered at all times, except when the vessel is empty or being emptied, and except for small openings for the mixer shaft and for adding materials to the vessel.

(SS) Ritrama Duramark, Cleveland

Ritrama Duramark operates two lines which apply coatings to a continuous web. Line 1 is a vinyl casting line and line 2 applies adhesives to paper. Line

2 is covered by the paper coating rule—09(F). The vinyl film casting line, covered by (SS), applies a vinyl organosol to a paper substrate in order to create a vinyl casting. The vinyl is then dried in an oven which is vented to an incinerator. The rule requires 100 percent capture efficiency and 98 percent destruction of VOCs from this line.

(TT) ICI Americas, Perry

The rule requires that emissions from stage 1 and stage 2 reactor vent streams be vented to a flare which meets the requirement of OAC 3745-21-09(DD)(10)(d), and the diked area of the carbon disulfide tanks must be completely covered by styrofoam sheets in order to reduce VOC emissions. Control on distillation vents was determined to be economically infeasible.

(YY) PMC Specialties Group, Cincinnati

PMC manufactures methyl anthranilate (MA), anthranilic acid (AA); saccharin, and o-carboalkoxybenzenesulfonamide (OCBS). The rule requires that emissions from the MA and AA process reactor vent streams be vented to an enclosed combustion device that is designed and operated to achieve at least a 95 percent reduction in VOC emissions. Under this rule, the OCBS manufacturing process is required to limit its emissions to 12 pounds of VOC per 6,000 pounds of product, which results in a 90 percent reduction in VOC emissions. Controls on emissions from the saccharin manufacturing process were evaluated by OEPA and found to be technically or economically infeasible.

(ZZ) Firestone Synthetic Rubber & Latex Company, Akron

All reactor process vent streams must be vented to an enclosed combustion device achieving 98 percent reduction, or to a flare which meets the requirements of paragraph (DD)(10)(d). An exemption is made for process vent streams vented to a flare constructed prior to March 21, 1993, which is maintained in accordance with design specifications.

(AAA) Reilly Industries, Cleveland

Reilly refines crude coal tar, producing "front end" naphthalene oil products, creosote oil, heavy (enamel) oil, electrode binder pitch, pellet pitch, roofing tar, and road tar. The facility's major emissions sources include: storage tanks for crude product; eight distillation stills (in two "batteries" of four each—one battery for continuous

processing, the other for batch processing), and storage tanks for refined products. The distillation stills are covered by OAC 3745-21-07 (G), which requires 85 percent destruction of VOCs emissions. USEPA concerns about the enforceability of paragraph 07 (G) will be addressed in a Finding and Order which affirms that the stills are covered by this rule, and which clarifies the test methods to be used to measure VOCs. The rule requires 90 percent control on each storage tank larger than 40,000 gallons which contains crude coal tar, refined tar or front end oil; this rule does not cover tanks containing creosote oil and solution oil. However, the low volatility of these products leads to low emissions, eliminating the need for add-on controls. Storage tanks with controls built before July 1, 1992 are exempt from the 90 percent control requirement, but must be operated and maintained in accordance with design specifications.

(BBB) BF Goodrich, Akron Chemical Plant

The rule requires that emissions from the agerite resin D process be vented to a control device which achieves 90 percent control efficiency; emissions from the superlite (trademark) and diphenylamine-based antioxidants process must be vented to control devices achieving 95 percent control efficiency.

The schedules for compliance with each of these rules are contained in OAC 3745-21-04(C)(40-51,53,54,59-62). Rules (C)(42), (C)(43), (C)(44), (C)(45) and (C)(47) were approved in the March 23, 1995 **Federal Register** (60 FR 15235-15241). The remaining schedules are timely, and are approved.

In addition to the non-CTG VOC RACT rules contained in OAC 3745-21-09, OEPA has committed to submit a Finding and Order for Sprayon Products, in Bedford Heights, which establishes a generic VOC RACT limit of 81 percent reduction from the 1990 baseline. This limit will be based on VOC emissions per can filled, thereby allowing changes in production not to affect the percent control limit. Operations which already meet a federally-enforceable RACT requirement, or which have combined annual emissions of less than five tons per year will be exempt from the baseline and the 81 percent reduction requirement. The facility will be allowed one year to petition OEPA and USEPA for an alternative control plan if it can be demonstrated that the 81 percent control requirement is not technically or economically feasible.

Along with its review of Ohio's non-CTG VOC RACT rules, USEPA reviewed RACT studies for sources which are subject to the non-CTG RACT requirement but for which Ohio has not submitted a non-CTG rule. Ohio determined that no rule was necessary for these sources because no controls beyond those already federally enforceable were technically or economically feasible. USEPA concurs with this judgement. The justification for not including a rule for these sources follows.

Excello Specialty Company, Cleveland

RACT for this facility is defined as the operation of control devices with 85 percent overall control efficiency on its coating lines, which is required by a permit to install (PTI).

Hilton Davis Company, Cincinnati

The company utilizes in-line condensers, vacuum pumps, and scrubbers that have process functions as well as emissions control functions. In addition, emissions at the company's wastewater treatment plant are controlled by a thermal oxidizer which is required by a PTI. Additional controls were evaluated by OEPA and found to be technically or economically infeasible.

Monsanto Company, Addyston

Thermal incineration, catalytic incineration and carbon adsorption of emissions from various processes at this source were evaluated by OEPA and found to be technically or economically infeasible.

Proctor & Gamble, Ivorydale (Cincinnati Area)

Existing controls have process functions or serve primarily as particulate matter control. Additional controls of VOC emissions from this source were evaluated by OEPA and found to be technically or economically infeasible.

General Electric Company, Euclid Specialty Coating, Cleveland

The facility utilizes condensers that have process functions as well as emissions control functions. Additional controls at this source were evaluated by OEPA and found to be technically or economically infeasible.

BF Goodrich Company, Avon Lake

Add-on controls were evaluated at this source were evaluated by OEPA and found to be technically or economically infeasible.

III. Proposed Rulemaking Action and Solicitation of Public Comment

The USEPA has evaluated the State's submittal for consistency with the Act, USEPA regulations, and USEPA policy. The USEPA has determined that the submitted non-CTG rules meet the Act's requirements, and with this action proposes approval, under section 110(k)(3), of the following rules:

OAC 3745-21-01: (Q); (T);
OAC 3745-21-04: (C)(40); (C)(41); (C)(46); (C)(48); (C)(49); (C)(50); (C)(51); (C)(53); (C)(54); (C)(59); (C)(60); (C)(61); (C)(62).

OAC 3745-21-09: (FF); (GG); (HH); (II); (JJ); (KK); (LL); (MM); (NN); (OO); (PP); (QQ); (SS); (TT); (YY); (ZZ); (AAA); (BBB).

Approval of OAC 3745-21-09 (II), (NN), (OO) and (AAA) is contingent upon approval of Findings and Orders outlined in a June 21, 1995 letter from OEPA to USEPA. Subsequent to USEPA review, the Findings and Orders for International Paper, Midwest Mica, Armco (AK) Steel, Reilly Industries, and Sprayon Products, along with permits to install for Excello Specialty Company and Hilton Davis Company, will be approved into the Ohio ozone SIP through a letter notice.

Public comments are solicited on USEPA'S proposed rulemaking action. Public comments received by August 9, 1995, will be considered in the development of USEPA's final rulemaking action. Notice of final action on the requested revisions will be provided by letter to OEPA and the affected sources, and a subsequent document of such action will be published in the **Federal Register**.

Nothing in this action should be construed as permitting, allowing or establishing a precedent for any future request for revision to any SIP. Each request for revision to any SIP shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

This action has been classified as a Table 3 action by the Regional Administrator under the procedures published in the **Federal Register** on January 19, 1989 (54 FR 2214-2225), as revised by an October 4, 1993 memorandum from Michael H. Shapiro, Acting Assistant Administrator for Air and Radiation. The Office of Management and Budget has exempted this regulatory action from Executive Order 12866 review.

Under the Regulatory Flexibility Act, 5 U.S.C. 600 *et seq.*, USEPA 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, USEPA 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.

SIP approvals under section 110 and subchapter I, Part D of the Act do not create any new requirements, but simply approve requirements that the State is already imposing. Therefore, because the federal SIP approval does not impose any new requirements, I certify that it does not have a significant impact on any small entities affected. Moreover, due to the nature of the Federal-State relationship under the Act, preparation of a regulatory flexibility analysis would constitute federal inquiry into the economic reasonableness of state action. The Act forbids USEPA to base its actions concerning SIPs on such grounds. *Union Electric Co. v. USEPA*, 427 U.S. 246, 256-66 (S.Ct. 1976); 42 U.S.C. 7410(a)(2).

Under Sections 202, 203, and 205 of the Unfunded Mandates Reform Act of 1995, signed into law on March 22, 1995, USEPA must undertake various actions in association with proposed or final rules that include a Federal mandate that may result in estimated costs of \$100 million or more to the private sector, or to State, local, or tribal governments in the aggregate.

Through submission of the state implementation plan or plan revisions approved in this action, the State has elected to adopt the program provided for under section 110 of the Clean Air Act. The rules and commitments being approved in this action may bind State, local and tribal governments to perform certain actions and also may ultimately lead to the private sector being required to perform certain duties. To the extent that the rules and commitments being approved by this action will impose or lead to the imposition of any mandate upon the State, local or tribal governments either as the owner or operator of a source or as a regulator, or would impose or lead to the imposition of any mandate upon the private sector, EPA's action will impose no new requirements; such sources are already subject to these requirements under State law. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action. The USEPA has also determined that this action does not include a mandate that may result in estimated costs or \$100 million or more to State, local, or tribal

governments in the aggregate or to the private sector.

List of Subjects in 40 CFR Part 52

Air pollution control, Incorporation by reference, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Authority: 42 U.S.C. 7401-7671(q).

Dated: June 28, 1995.

David A. Ullrich,

Acting Regional Administrator.

[FR Doc. 95-16826 Filed 7-7-95; 8:45 am]

BILLING CODE 6560-50-P

40 CFR Part 52

[OH80-1-6979; FRL-5256-2]

Approval and Promulgation of Implementation Plans; Ohio

AGENCY: United States Environmental Protection Agency (USEPA).

ACTION: Proposed rule.

SUMMARY: The USEPA is proposing to approve Ohio's 1990 base-year ozone precursor emissions inventories for the Canton, Cleveland, Cincinnati and Youngstown ozone nonattainment areas as revisions to the ozone portion of the Ohio State Implementation Plan (SIP). The emissions inventories were submitted to satisfy a Federal requirement that States containing ozone nonattainment areas submit inventories of actual ozone precursor emissions for the year 1990. The Ohio ozone nonattainment areas covered by this rulemaking are Canton (Stark County); Cincinnati (Butler, Clermont, Hamilton and Warren Counties); Cleveland (Ashtabula, Cuyahoga, Geauga, Lake, Lorain, Medina, Portage and Summit Counties); and Youngstown (Mahoning and Trumbull Counties). Initial notification of such approval would be by letter to the State of Ohio.

DATES: Comments on this action must be received by August 9, 1995.

ADDRESSES: Written comments should be mailed to: William L. MacDowell, Chief, Regulation Development Section, Air Enforcement Branch (AE-17J), USEPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

Copies of the State submittal and USEPA's analysis of it are available for inspection at: Regulation Development Section, Air Enforcement Branch (AE-17J), USEPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: Richard Schleyer, Environmental Engineer, Regulation Development Section, Air Enforcement Branch (AE-

17J), USEPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353-5089.

SUPPLEMENTARY INFORMATION:

I. Background

Section 182(a)(1) of the Clean Air Act Amendments of 1990 (Act) requires States with ozone nonattainment areas to submit a comprehensive, accurate and current inventory of actual ozone precursor emissions (which includes volatile organic compounds (VOC), nitrogen oxides (NO_x), and carbon monoxide (CO)) for each ozone nonattainment area by November 15, 1992. This inventory must include anthropogenic base-year (1990) emissions from stationary point, area, non-road mobile, and on-road mobile sources, as well as biogenic (naturally occurring) sources in all ozone nonattainment areas. The emissions inventory must be based on conditions that exist during the peak ozone season (generally the period when peak hourly ozone concentrations occur in excess of the primary ozone National Ambient Air Quality Standard—NAAQS). Ohio's annual ozone season is from April 01 to October 31 of each year.

II. Criteria for Evaluating Ozone Emissions Inventories

Guidance for preparing and reviewing the emission inventories is provided in the following USEPA guidance documents or memoranda: "State Implementation Plans; General Preamble for the Implementation of Title I of the Act," (Preamble) as published in the April 16, 1992 **Federal Register** (57 FR 13498); "Emission Inventory Requirements for Ozone State Implementation Plans," (EPA-450/4-91-010) dated March 1991; a memorandum from John Calcagni, Director, Air Quality Management Division, OAQPS, entitled "Public Hearing Requirements for the 1990 Base-Year Emissions Inventories for Ozone and Carbon Monoxide Nonattainment Areas," dated September 29, 1992; "Procedures for the Preparation of Emissions Inventories for Carbon Monoxide and Precursors of Ozone, Volumes I and II," (EPA-450/4-91-016 and EPA-450/4-91-014) (Procedures; Volumes I and II) dated May 1991; "Procedures for Emissions Inventories Preparation, Volume IV: Mobile Sources," (EPA-450/4-81-026d) (Procedures; Volume IV) dated 1992; and "Supplement C to Compilation of Air Pollutant Emission Factors, Volume I: Stationary Point and Area Sources," (AP-42) dated September 1990.

As a primary tool for the review of the quality of emission inventories, the USEPA has also developed three levels (I, II, and III) of emission inventories checklists. The Level I and II checklists are used to determine that all required components of the base-year emission inventory and associated documentation are present. These reviews also evaluate the level of quality of the associated documentation and the data provided by the State and assess whether the emission estimates were developed according to the USEPA guidance. The Level III review evaluates crucial aspects and the overall acceptability of the emission inventory submittal. Failure to meet one of the ten critical aspects would lead to disapproval of the emissions inventory submittal.

Detailed Level I and II review procedures can be found in the USEPA guidance document entitled "Quality Review Guidelines for 1990 Base Year Emissions Inventories," (Quality Review) (EPA-454/R-92-007) dated August 1992. Level III criteria were attached to a memorandum from John S. Seitz, Director, Office of Air Quality Planning and Standards, entitled "Emission Inventory Issue," dated June 24, 1993. The Level I, II, and III checklists used in reviewing this emissions inventory submittal are attached to two USEPA technical support documents dated June 23, 1995.

III. State Submittal

On March 15, 1994, the Ohio Environmental Protection Agency (OEPA) submitted a revision to the ozone portion of Ohio's SIP which consisted of the 1990 base-year ozone emissions inventory for the following ozone nonattainment areas in Ohio: Canton, Cincinnati, Cleveland, Columbus, Dayton, Toledo and Youngstown. The USEPA has completed its review of the emissions inventories submitted for the Canton (which includes Stark County), Cincinnati (which includes Butler, Clermont, Hamilton and Warren Counties), Cleveland (Ashtabula, Cuyahoga, Geauga, Lake, Lorain, Medina, Portage and Summit Counties) and Youngstown (which includes Mahoning and Trumbull Counties) ozone nonattainment areas. The 1990 base-year emissions inventories submitted for all other areas are addressed in separate rulemakings.

Inventory Preparation Plan/Quality Assurance Plan

All States were required to submit an Inventory Preparation Plan (IPP) to USEPA for review and approval by October 1, 1991. The IPP documents the