

(B) The ten year ozone maintenance plan including emission projections and contingency measures for Greenbrier County, West Virginia effective on September 1, 1994.

(ii) Additional Material.

(A) Remainder of September 9, 1994 State submittal pertaining to the maintenance plan referenced in paragraph (c)(36)(i) of this section.

(B) [Reserved]

3. Section 52.2531 is added to read as follows:

§ 52.2531 1990 base year emission inventory.

EPA approves as a revision to the West Virginia State Implementation Plan the 1990 base year emission inventories for the Greenbrier county ozone nonattainment area submitted by the Secretary, West Virginia Department of Commerce, Labor & Environmental Resources on December 22, 1992. These submittals consist of the 1990 base year point, area, non-road mobile, biogenic and on-road mobile source emission inventories in Greenbrier County for the following pollutants: Volatile organic compounds (VOC), carbon monoxide (CO), and oxides of nitrogen (NO_x).

PART 81—[AMENDED]

3. The authority citation for part 81 continues to read as follows:

Authority: 42 U.S.C. 7401-7671.

Subpart C—Section 107 Attainment Status Designations

4. In § 81.349 the ozone table is amended by revising the entry for Greenbrier County to read as follows:

§ 81.349 West Virginia.

* * * * *

WEST VIRGINIA.—OZONE

Designated area	Designation			Classification	
	Date ¹	Type	Date	Type	
Greenbrier Area:					
Greenbrier County	September 18, 1995	Unclassifiable/Attainment			

¹ This date is November 15, 1990, unless otherwise noted.

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BILLING CODE 6560-50-P

40 CFR Part 70

[AD-FRL-5270-3]

Clean Air Act Final Interim Approval of the Operating Permits Program for the Sacramento Metropolitan Air Quality Management District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The EPA is promulgating interim approval of the title V operating permits program submitted by the Sacramento Metropolitan Air Quality Management District (District) for the purpose of complying with federal requirements that mandate that states develop, and submit to EPA, programs for issuing operating permits to all major stationary sources and to certain other sources. In addition, today's action grants final approval to the District's mechanism for receiving delegation of section 112 standards as promulgated.

EFFECTIVE DATE: September 5, 1995.

ADDRESSES: Copies of the District's submittals and other supporting information used in developing the final approvals are available for inspection during normal business hours at the

following location: U.S. Environmental Protection Agency, Region IX, Air & Toxics Division, 75 Hawthorne Street, San Francisco, CA 94105.

FOR FURTHER INFORMATION CONTACT: Ed Pike (telephone 415/744-1248), Mail Code A-5-2, U.S. Environmental Protection Agency, Region IX, Air & Toxics Division, 75 Hawthorne Street, San Francisco, CA 94105.

SUPPLEMENTARY INFORMATION:

I. Background and Purpose

Title V of the 1990 Clean Air Act Amendments (sections 501-507 of the Clean Air Act (Act)), and implementing regulations at 40 Code of Federal Regulations (CFR) part 70, require that states develop and submit operating permits programs to EPA by November 15, 1993, and that EPA act to approve or disapprove each program within 1 year after receiving the submittal. The EPA's program review occurs pursuant to section 502 of the Act and the part 70 regulations, which together outline criteria for approval or disapproval. Where a program substantially, but not fully, meets the requirements of part 70, EPA may grant the program interim approval for a period of up to 2 years. If EPA has not fully approved a program by 2 years after the November 15, 1993 date, or by the end of an interim program, it must establish and implement a federal program.

On June 6, 1995, EPA proposed interim approval of the operating permits program for the Sacramento Metropolitan Air Quality Management District. See 60 FR 29809. The **Federal Register** document also proposed approval of the District's interim mechanism for implementing section 112(g) and program for delegation of section 112 standards as promulgated. EPA did not receive any comments on the proposal. In this notice, EPA is promulgating interim approval of the District's operating permits program and approving the section 112(g) and section 112(l) mechanisms.

II. Final Action and Implications

A. Title V Operating Permits Program

The EPA is promulgating interim approval of Sacramento's title V operating permits program as submitted on August 1, 1994. The District's program substantially, but not fully, meets the requirements of part 70 and meets the interim approval requirements under 40 CFR 70.4. The program revisions necessary for full approval are unchanged from the proposal. See 60 FR 29809 (June 6, 1995).

The scope of this approval of the District's part 70 program applies to all part 70 sources (as defined in the approved program) within Sacramento County except any sources of air

pollution over which an Indian tribe has jurisdiction. See, e.g., 59 FR 55813, 55815-18 (Nov. 9, 1994). The term "Indian tribe" is defined under the Act as "any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village, which is federally recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians." See section 302(r) of the Act; see also 59 FR 43956, 43962 (Aug. 25, 1994); 58 FR 54364 (Oct. 21, 1993).

This interim approval, which may not be renewed, extends until September 4, 1997. During this interim approval period, the District is protected from sanctions, and EPA is not obligated to promulgate, administer and enforce a federal operating permits program in the District. Permits issued under a program with interim approval have full standing with respect to part 70, and the 1-year time period for submittal of permit applications by subject sources begins upon the effective date of this interim approval, as does the 3-year time period for processing the initial permit applications.

If Sacramento fails to submit a complete corrective program for full approval by March 4, 1997, EPA will start an 18-month clock for mandatory sanctions. If the District then fails to submit a corrective program that EPA finds complete before the expiration of that 18-month period, EPA will be required to apply one of the sanctions in section 179(b) of the Act, which will remain in effect until EPA determines that the District has corrected the deficiency by submitting a complete corrective program. Moreover, if the Administrator finds a lack of good faith on the part of the District, both sanctions under section 179(b) will apply after the expiration of the 18-month period until the Administrator determines that the District has come into compliance. In any case, if, six months after application of the first sanction, the District still has not submitted a corrective program that EPA has found complete, a second sanction will be required.

If EPA disapproves Sacramento's complete corrective program, EPA will be required to apply one of the section 179(b) sanctions on the date 18 months after the effective date of the disapproval, unless prior to that date the District has submitted a revised program and EPA has determined that it corrected the deficiencies that prompted the disapproval. Moreover, if the Administrator finds a lack of good faith on the part of the District, both sanctions under section 179(b) shall

apply after the expiration of the 18-month period until the Administrator determines that the District has come into compliance. In all cases, if, six months after EPA applies the first sanction, the District has not submitted a revised program that EPA has determined corrects the deficiencies, a second sanction is required.

In addition, discretionary sanctions may be applied where warranted any time after the expiration of an interim approval period if Sacramento has not submitted a timely and complete corrective program or EPA has disapproved its submitted corrective program. Moreover, if EPA has not granted full approval to the District program by the expiration of this interim approval and that expiration occurs after November 15, 1995, EPA must promulgate, administer and enforce a federal permits program for the District upon interim approval expiration.

B. County Preconstruction Permit Program Implementing Section 112(g)

EPA is approving the use of Sacramento's preconstruction review program found in the District's preconstruction permitting program (rule 202) and the District's New Source Review Guidelines for Toxics (Appendix B-6 of the submittal) as a mechanism to implement section 112(g) during the transition period between promulgation of EPA's section 112(g) rule and the District's adoption of rules specifically designed to implement section 112(g). This approval is limited to the implementation of the 112(g) rule and is effective only during any transition time between the effective date of the 112(g) rule and the adoption of specific rules by the District to implement 112(g). The final 112(g) rule will determine the deadline for Sacramento to adopt a 112(g) rule.

C. Program for Delegation of Section 112 Standards as Promulgated

Requirements for part 70 program approval, specified in 40 CFR section 70.4(b), encompass section 112(l)(5) requirements for approval of a program for delegation of section 112 standards as promulgated by EPA as they apply to part 70 sources. Section 112(l)(5) requires that the District's program contain adequate authorities, adequate resources for implementation, and an expeditious compliance schedule, which are also requirements under part 70. Therefore, EPA is also promulgating approval under section 112(l)(5) and 40 CFR section 63.91 of the District's program for receiving delegation of section 112 standards that are

unchanged from the federal standards as promulgated. This program for delegations applies to both existing and future standards but is limited to sources covered by the part 70 program.

III. Administrative Requirements

A. Docket

Copies of the Sacramento's submittal and other information relied upon for the final interim approval, including the public comment letter received by EPA, are contained in the docket at the EPA Regional Office. The docket is an organized and complete file of all the information submitted to, or otherwise considered by, EPA in the development of this final interim approval. The docket is available for public inspection at the location listed under the ADDRESSES section of this document.

B. Executive Order 12866

The Office of Management and Budget has exempted this action from review under Executive Order 12866 review.

C. Regulatory Flexibility Act

The EPA's action under section 502 of the Act does not create any new requirements, but simply addresses operating permit programs submitted to satisfy the requirements of 40 CFR part 70. Because these actions do not impose any new requirements, they do not have a significant impact on a substantial number of small entities.

D. Unfunded Mandates

Under Section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a federal mandate that may result in estimated costs to state, local, or tribal governments in the aggregate; or to the private sector, of \$100 million or more. Under Section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the approval action promulgated today does not include a federal mandate that may result in estimated costs of \$100 million or more to either state, local, or tribal governments in the aggregate, or to the private sector. This federal action approves pre-existing requirements under state or local law, and imposes no new federal requirements. Accordingly,

no additional costs to state, local, or tribal governments, or to the private sector, result from this action.

List of Subjects in 40 CFR Part 70

Environmental protection, Administrative practice and procedure, Air pollution control, Hazardous substances, Intergovernmental relations, Operating permits, Reporting and recordkeeping requirements.

Dated: July 21, 1995.

John Wise,

Acting Regional Administrator.

Part 70, title 40 of the Code of Federal Regulations is amended as follows:

PART 70—[AMENDED]

1. The authority citation for part 70 continues to read as follows:

Authority: 42 U.S.C. 7401, *et seq.*

2. Appendix A to part 70 is amended by adding paragraph (w) to the entry for California as follows:

Appendix A to Part 70—Approval Status of State and Local Operating Permits Programs

* * * * *

(w) *the Sacramento Metropolitan Air Quality Management District*: (complete submittal received on August 1, 1994); interim approval effective on September 5, 1995; interim approval expires September 4, 1997.

* * * * *

[FR Doc. 95-19001 Filed 8-3-95; 8:45 am]

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DEPARTMENT OF THE INTERIOR

41 CFR Chapter 114

RIN 1090-AA53

Internal Directives and Procedures Governing Property Management Program

AGENCY: Department of the Interior, Office of the Secretary.

ACTION: Final rule.

SUMMARY: The Department of the Interior has amended the internal directives and procedures governing its property management program. The Department of the Interior is now deleting text from the Code of Federal Regulations. This text, which does not affect the public, is being deleted because it duplicates the text in other internal directives. The intended effect is to eliminate duplicate regulations and thereby simplify the regulatory structure.

EFFECTIVE DATE: This rule is effective September 5, 1995.

FOR FURTHER INFORMATION CONTACT: Robert E. Lomax, Office of Acquisition and Property Management, ms 5512-MIB, U.S. Department of the Interior, Washington, DC 20240, Phone: (202) 208-3337.

SUPPLEMENTARY INFORMATION: These property management regulations govern the internal actions of the Department of the Interior and its bureaus. Inasmuch as the content of these regulations is set forth in greater detail in the Department of the Interior's internal Property Management Directives (IPMD), the Department has determined that it is no longer necessary to maintain these regulations in 41 CFR Chapter 114.

This rule was not subject to Office of Management and Budget review under E.O. 12866. Because these procedures govern only internal management actions of the DOI, this document will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

The DOI has further determined that these regulations will not significantly affect the environment.

An environmental impact statement is not required under the National Environmental Policy Act of 1969. Because the Department, by removing these regulations, is simply relying on more comprehensive internal directives which are already in place, the Department for good cause, within the meaning of 5 U.S.C. 553(b)(B), finds that notice and public comment on the rule are not required. Finally, the DOI has determined that the rule has no federalism implications affecting the relationship between the national government and the states as outlined in Executive Order 12612.

This rule does not contain information collection requirements which require approval by the office of Management and Budget under 44 U.S.C. 3501 *et seq.*

The primary author of this document is Robert E. Lomax, Chief, Division of Property Management, Office of Acquisition and Property Management, U.S. Department of the Interior.

List of Subjects in 41 CFR Chapter 114 (Parts 114-1—114-60)

Administrative practice and procedure, Federal buildings and facilities, Government property management, Handicapped, Housing, Metals, Motor vehicles, Surplus Government property, Transportation, Grant programs, Loan programs,

Manufactured homes, Relocation assistance, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, and under this authority of 5 U.S.C. 301, 41 CFR Chapter 114 is removed as set forth below.

Dated: July 25, 1995.

Bonnie R. Cohen,

Assistant Secretary—Policy, Management and Budget.

Part 114-1 [Removed]

1. Part 114-1 is removed.

Part 114-3 [Removed]

2. Part 114-3 is removed.

Part 114-19 [Removed]

3. Part 114-19 is removed.

Part 114-25 [Removed]

4. Part 114-25 is removed.

Part 114-26 [Removed]

5. Part 114-26 is removed.

Part 114-27 [Removed]

6. Part 114-27 is removed.

Part 114-28 [Removed]

7. Part 114-28 is removed.

Part 114-30 [Removed]

8. Part 114-30 is removed.

Part 114-38 [Removed]

9. Part 114-38 is removed.

Part 114-40 [Removed]

10. Part 114-40 is removed.

Part 114-41 [Removed]

11. Part 114-41 is removed.

Part 114-42 [Removed]

12. Part 114-42 is removed.

Part 114-43 [Removed]

13. Part 114-43 is removed.

Part 114-44 [Removed]

14. Part 114-44 is removed.

Part 114-45 [Removed]

15. Part 114-45 is removed.

Part 114-46 [Removed]

16. Part 114-46 is removed.

Part 114-47 [Removed]

17. Part 114-47 is removed.

Part 114-50 [Removed]

18. Part 114-50 is removed.

Subpart 114-51.1 Appendix I [Removed]

19. Subpart 114-51.1 Appendix is removed.