

following rules into the California SIP: Rule 4607, "Graphic Arts," as adopted by SJVUAPCD on May 19, 1994; Rule 212, "Storage of Organic Liquids," as adopted by PCAPCD on November 3, 1994; and Rules 67.16 ("Graphic Arts Operations") and 67.18 ("Marine Coating Operations"), as adopted by SDCAPCD on September 20, 1994, and December 13, 1994, respectively. These rules were submitted by the California Air Resources Board to EPA on: June 19, 1992 (VCAPCD Rule 74.3); July 13, 1994 (SJVUAPCD Rule 4607); October 19, 1994 (SDCAPCD Rule 67.16); December 19, 1994 (PCAPCD Rule 212); and December 22, 1994 (SDCAPCD Rule 67.18). These rules were submitted in response to EPA's 1988 SIP-Call and the CAA section 182(a)(2)(A) requirement that nonattainment areas fix their reasonably available control technology (RACT) rules for ozone in accordance with EPA guidance that interpreted the requirements of the pre-amendment Act. A detailed discussion of the background for each of the above rules and nonattainment areas is provided in the Notice of Proposed Rulemaking (NPRM) cited above.

EPA has evaluated all of the above rules for consistency with the requirements of the CAA, and EPA's regulations and interpretation of these requirements as expressed in the various EPA policy guidance documents referenced in the NPRM cited above. EPA has found that the rules meet the applicable EPA requirements. A detailed discussion of the rule provisions and evaluations has been provided in 58 FR 63545 and 60 FR 6467 and in technical support documents (TSDs) available at EPA's Region IX office. These TSDs are dated: September 23, 1993 (VCAPCD 74.3), December 28, 1994 (PCAPCD Rule 212), and January 20, 1995 (SDCAPCD Rules 67.16 and 67.18, and SJVUAPCD Rule 4607).

Response to Public Comments

A 30-day public comment period was provided in 58 FR 63545 and 60 FR 6467. EPA did not receive comments on any of the rules.

EPA Action

EPA is finalizing action to approve the above rules for inclusion into the California SIP. EPA is approving the submittal under section 110(k)(3) as meeting the requirements of section 110(a) and Part D of the CAA. This approval action will incorporate these rules into the federally approved SIP. The intended effect of approving these rules is to regulate emissions of VOCs in

accordance with the requirements of the CAA.

In 60 FR 6401, EPA published an Interim Final Rule that served to temporarily defer the imposition of sanctions associated with SJVUAPCD Rule 4607, PCAPCD Rule 212, and SDCAPCD Rules 67.16 and 67.18. As discussed in the Interim Final Rule, two sanctions clocks were started for each of these rules as a result of EPA's limited disapproval of a previous version of the rules. This Final Rule serves to permanently remove both sanctions clocks associated with the above rules. VCAPCD Rule 74.3 does not have any sanctions associated with it.

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

Unfunded Mandates

Under Sections 202, 203, and 205 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, EPA 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 this state implementation plan or plan revision, the State and any affected local or tribal governments have elected to adopt the program provided for under Part D of the Clean Air Act. These rules may bind State, local, and tribal governments to perform certain actions and also require the private sector to perform certain duties. The rules being approved by this action will impose no new requirements because affected sources are already subject to these regulations under State law. Therefore, no additional costs to State, local, or tribal governments or to the private sector result from this action. EPA has also determined that this final action does not include a mandate that may result in estimated costs of \$100 million or more to State, local, or tribal governments in the aggregate or to the private sector.

Regulatory Process

The OMB has exempted this action from review under Executive Order 12866.

List of Subjects in 40 CFR Part 52

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

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

Dated: August 8, 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 F—California

2. Section 52.220 is amended by adding paragraphs (c)(188)(i)(D)(3), (198)(i)(C)(3), (202)(i)(C)(2), (208)(i)(A)(2), and (210)(i)(B) to read as follows:

§ 52.220 Identification of plan.

- * * * * *
- (c) * * *
- (188) * * *
- (i) * * *
- (D) * * *
- (3) Rule 74.3, adopted on December 10, 1991.
- * * * * *
- (198) * * *
- (i) * * *
- (C) * * *
- (3) Rule 4607, adopted on May 19, 1994.
- * * * * *
- (202) * * *
- (i) * * *
- (C) * * *
- (2) Rule 67.16, adopted on September 20, 1994.
- * * * * *
- (208) * * *
- (i) * * *
- (A) * * *
- (2) Rule 212, adopted on November 3, 1994.
- * * * * *
- (210) * * *
- (i) * * *
- (B) San Diego County Air Pollution Control District.
- (1) Rule 67.18, adopted on December 13, 1994.
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FEDERAL COMMUNICATIONS
COMMISSION

47 CFR Parts 64 and 69

[CC Docket No. 91-141; DA 95-1287]

Expanded Interconnection With Local
Telephone Company Facilities;
CorrectionAGENCY: Federal Communications
Commission.

ACTION: Final rule; correction.

SUMMARY: This document contains a correction to the final rule [FCC 94-190, 9 FCC Rcd 5154], which was summarized and published in the **Federal Register** on Monday, August 1, 1994 [59 FR 38922]. The rule related to the Commission's policies on expanded interconnection with local telephone company facilities.

EFFECTIVE DATE: December 15, 1994.

FOR FURTHER INFORMATION CONTACT: David Sieradzki (202) 418-1576 (not a toll-free call).

SUPPLEMENTARY INFORMATION:

Background

In the Memorandum Opinion and Order that is the subject of these corrections, the FCC reaffirmed its commitment to its expanded interconnection policy, which creates new opportunities for competitive provision of access services that the local telephone companies traditionally have provided on a monopoly basis, and required certain companies to provide expanded interconnection through virtual collocation.

Need for Correction

As published, the document contains an error which may prove to be misleading and is in need of clarification.

Correction of Publication

In the last sentence of paragraph 62 on page 38929 of the Synopsis of Memorandum Opinion and Order [59 FR 38922, Aug. 1, 1994], FR Doc. 94-18589 is corrected to read as follows:

We delegate authority to the Chief, Common Carrier Bureau, to modify the threshold point for switched transport volume and term discounts in unusual circumstances where a change in the strict requirements would advance the Commission's objectives.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 95-22002 Filed 9-6-95; 8:45 am]

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47 CFR Part 90

[PR Docket No. 89-552, GN Docket No. 93-252, and PP Docket No. 93-253; FCC 95-312]

Wireless Telecommunications
Services; Private Land Mobile Radio
ServiceAGENCY: Federal Communications
Commission.ACTION: Final rule; petitions for
reconsideration.

SUMMARY: In this *Second Memorandum Opinion and Order* portion of the adopted *Second Memorandum Opinion and Order and Third Notice of Proposed Rulemaking*, the Commission denies a Petition for Reconsideration filed by SunCom Mobile & Data, Inc., denies waiver requests filed by Northeast Florida Telephone Company, Wireless Plus, Inc., and the 220 MHz QO Coalition, grants a Petition to Sever filed by SunCom Mobile & Data, Inc., and extends the deadline for non-nationwide 220 MHz licensees authorized within Line A of the Canadian border to construct and operate their stations to a date 12 months after the date that the terms of an agreement with Canada are released. These actions are taken in response to these requests and petitions.

EFFECTIVE DATE: September 7, 1995.

FOR FURTHER INFORMATION CONTACT:

Martin Liebman, Wireless Telecommunications Bureau (202) 418-1310, or Rhonda Lien, Wireless Telecommunications Bureau (202) 418-0620.

SUPPLEMENTARY INFORMATION: This is a synopsis of the *Second Memorandum Opinion and Order* portion of the Commission's *Second Memorandum Opinion and Order and Third Notice of Proposed Rulemaking* in PR Docket No. 89-552, GN Docket No. 93-252, and PP Docket No. 93-253, FCC 95-312, adopted July 28, 1995, and released August 28, 1995. The summary of the *Third Notice of Proposed Rulemaking* portion of this decision may be found elsewhere in this edition of the **Federal Register**. The complete text of this decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street NW., Washington, DC, and also may be purchased from the Commission's copy contractor, International Transcription Service, at (202) 857-3800, 2100 M Street NW., Suite 140, Washington, DC 20037.

Synopsis of the Second Memorandum
Opinion and Order Portion of the
Second Memorandum Opinion and
Order and Third Notice of Proposed
Rulemaking

1. The Commission, in a *Third Report and Order* in GN Docket 93-252 (59 FR 59945, November 21, 1994) denied a Request for Declaratory Ruling filed by SunCom Mobile & Data, Inc. (SunCom) which sought approval to aggregate non-nationwide 220 MHz five-channel blocks on a regional basis to provide multiple-market service on a single system. The Commission denied a concurrently filed waiver request by SunCom to allow an extended period for the construction of its system. SunCom filed a Petition for Reconsideration of these decisions. Wireless Plus, Inc., a manager of 220 MHz stations, filed a waiver request similar to SunCom's Request for Declaratory Ruling. The Commission now denies these three requests.

2. SunCom also filed a Petition to Sever its Requests for Declaratory Ruling and for Waiver from GN Docket No. 93-252, and from other petitions for reconsideration of the *Third Report and Order* in GN Docket 93-252. SunCom asked that the Commission act expeditiously on its Petition for Reconsideration. The Commission is incorporating SunCom's Petition for Reconsideration into this proceeding for disposition, and its Petition to Sever is therefore granted.

3. The Commission received waiver requests from the 220 MHz QO Coalition and Northeast Florida Telephone Company seeking waiver of our rules to permit licensees authorized on Channels 171-180 to operate in the trunked mode. The Commission denies both of these requests.

4. The Commission extends the construction deadline for Phase I non-nationwide 220 MHz licensees located within Line A of the Canadian border until 12 months after the signing of an agreement with Canada on the sharing of 220-222 MHz channels near the border.

5. Authority for issuance of the decision is contained in Sections 4(i), 303(r), and 332 of the Communications Act of 1934, as amended; 47 U.S.C. 154(i), 303(r), and 332.

Ordering Clauses

6. Accordingly, IT IS ORDERED that the Petition to Sever filed by SunCom Mobile & Data, Inc., IS GRANTED.

7. IT IS FURTHER ORDERED that the Petition for Reconsideration filed by SunCom Mobile & Data, Inc., IS DENIED.