

Facility. Any building, plant, installation, structure, mine, vessel, floating craft, location or site of operations at which, or from which, a Federal contract, subcontract, loan, assistance award or covered transaction is to be performed. Where a location or site of operations contains or includes more than one building, plant, installation or structure, the entire location or site shall be deemed the facility unless otherwise limited by EPA.

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6. Section 32.110 is amended by adding a new paragraph (d) to read as follows:

§ 32.110 Coverage.

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(d) Except as provided in § 32.215 of this Part, Federal agencies shall not use a CAA or CWA ineligible facility in the performance of any Federal contract, subcontract, loan, assistance award or covered transaction.

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7. Section 32.115 is amended by revising paragraph (d) to read as follows:

§ 32.115 Policy.

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(d) It is EPA policy to exercise its authority to reinstate CAA or CWA ineligible facilities in a manner which is consistent with the policies in paragraphs (a) and (b) of this section.

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8. Section 32.215 is amended by revising paragraph (a) to read as follows:

§ 32.215 Exception provision.

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(a) Any agency head, or authorized designee, may except any Federal contract, subcontract, loan, assistance award or covered transaction, individually or as a class, in whole or in part, from the prohibitions otherwise applicable by reason of a CAA or CWA ineligibility. The agency head granting the exception shall notify the EPA Debarment Official of the exception as soon, before or after granting the exception, as may be practicable. The justification for such an exception, or any renewal thereof, shall fully describe the purpose of the contract or covered transaction, and show why the paramount interest of the United States requires the exception.

9. Section 32.215 is further amended by adding a new paragraph (b) to read as follows:

§ 32.215 Exception provision.

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(b) The EPA Debarment Official is the official authorized to grant exceptions under this section for EPA.

10. Section 32.315 is amended by adding a new paragraph (c) to read as follows:

§ 32.315 Settlement and voluntary exclusion.

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(c) The EPA Debarment Official may consider matters regarding present responsibility, as well as any other matter regarding the conditions giving rise to alleged CAA or CWA violations in anticipation of entry of a plea, judgment or conviction. If, at any time, it is in the interest of the United States to conclude such matters pursuant to a comprehensive settlement agreement, the EPA Debarment Official may conclude the debarment and ineligibility matters as part of any such settlement, so long as he or she certifies that the condition giving rise to the CAA or CWA violation has been corrected.

11. Section 32.321 is added to read as follows:

§ 32.321 Reinstatement of facility eligibility.

(a) A written petition to reinstate the eligibility of a CAA or CWA ineligible facility may be submitted to the EPA Debarment Official. The petitioner bears the burden of providing sufficient information and documentation to establish, by a preponderance of the evidence, that the condition giving rise to the CAA or CWA conviction has been corrected. If the material facts set forth in the petition are disputed, and the Debarment Official denies the petition, the petitioner shall be afforded the opportunity to have additional proceedings as provided in § 32.314(b).

(b) A decision by the EPA Debarment Official denying a petition for reinstatement may be appealed under § 32.335.

§ 32.330 [Removed]

12. Section 32.330 is removed.

§ 32.425 [Removed]

13. Section 32.425 is removed.

[FR Doc. 95-22088 Filed 9-8-95; 8:45 am]

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40 CFR Part 52

[CA 137-1-7051b; FRL-5262-4]

Approval and Promulgation of State Implementation Plans; California State Implementation Plan Revision, Mojave Desert Air Quality Management District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to act on revisions to the California State Implementation Plan (SIP) which concern two negative declarations from the Mojave Desert Air Quality Management District for two volatile organic compound (VOC) source categories: Asphalt Air Blowing and Vacuum Producing Devices or Systems. The intended effect of proposing to include these negative declarations in the SIP is to meet the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). In the Final Rules Section of this **Federal Register**, the EPA is acting on the state's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A rationale for this action is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this document. Any parties interested in commenting on this action should do so at this time.

DATES: Comments on this proposed rule must be received in writing by October 11, 1995.

ADDRESSES: Written comments on this action should be addressed to: Daniel A. Meer, Rulemaking Section (A-5-3), Air and Toxics Division, U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105-3901.

Copies of the negative declarations are available for public inspection at EPA's Region 9 office and at the following locations during normal business hours.

Rulemaking Section (A-5-3), Air and Toxics Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105

Air Docket (6102), U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 2020 L Street, Sacramento, CA 95812

Mojave Desert Air Quality Management District (formerly San Bernardino County Air Pollution Control District, 15428 Civic Drive, Suite 200, Victorville, CA 92392-2382.

FOR FURTHER INFORMATION CONTACT: Julie A. Rose, Rulemaking Section, A-5-3, Air and Toxics Division, U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105-3901, Telephone: (415) 744-1184.

SUPPLEMENTARY INFORMATION: This document concerns negative declarations for two VOC source categories from the Mojave Desert Air Quality Management District: (1) Asphalt Air Blowing submitted to EPA on December 20, 1994 and (2) Vacuum Producing Devices or Systems submitted to EPA on December 29, 1994 by the California Air Resources Board.

For further information, please see the information provided in the Direct Final action which is located in the Rules Section of this **Federal Register**.

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

Dated: July 10, 1995.

Felicia Marcus,

Regional Administrator.

[FR Doc. 95-22147 Filed 9-8-95; 8:45 am]

BILLING CODE 6560-50-W

40 CFR Part 52

[CT-18-1-6482b; A-1-FRL-5271-4]

Approval and Promulgation of Air Quality Implementation Plans—Connecticut; PM10 Attainment Plan and Contingency Measures for New Haven

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing full approval of a State Implementation Plan (SIP) revision submitted by the State of Connecticut to satisfy certain federal requirements for the New Haven initial PM10 nonattainment area. The purpose of this action is to bring 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 (PM10). EPA also proposes full approval of reasonable available control measures (RACM) and contingency measures for the New Haven initial PM10 moderate nonattainment area as established in this SIP revision, since Connecticut has demonstrated implementation of RACM will attain and maintain the PM10 NAAQS. Additionally, EPA proposes approval of Connecticut's adoption of the PM10 NAAQS and emergency episode regulation. In the Final Rules Section of this **Federal Register**, EPA is approving the State's SIP revision as a

direct final rule without prior proposal because the Agency views this as a noncontroversial revision and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to that direct final rule, no further activity is contemplated in relation to this proposed rule. If EPA does receive adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this proposal. Any parties interested in commenting on this proposal should do so at this time.

DATES: Comments must be received on or before October 11, 1995.

ADDRESSES: Comments may be mailed to Susan Studlien, Acting Director, Air, Pesticides and Toxics Management Division, EPA-New England, JFK Federal Bldg (AAA), Boston, MA 02203-2211. Copies of the State submittal and EPA's technical support document are available for public inspection by appointment during normal business hours at the Air, Pesticides and Toxics Management Division, EPA-New England, One Congress Street, 10th floor, Boston, MA and the Bureau of Air Management, Department of Environmental Protection, State Office Building, 79 Elm Street, Hartford, CT 06106-1630.

FOR FURTHER INFORMATION CONTACT: Matthew B. Cairns, (617) 565-4982.

SUPPLEMENTARY INFORMATION: For additional information, see the direct final rule which is located in the Rules Section of this **Federal Register**.

Authority: 42 USC 7401-7671q.

Dated: May 26, 1995.

John P. DeVillars,

Regional Administrator, EPA-New England.

[FR Doc. 95-22131 Filed 9-8-95; 8:45 am]

BILLING CODE 6560-50-P

40 CFR Part 52

[DE22-1-7160b, DC19-1-7159b, MD36-1-7161b, PA48-1-7162b, VA42-1-7163b; FRL-5291-9]

Approval and Promulgation of Air Quality Implementation Plans; Delaware, the District of Columbia, Maryland, Pennsylvania, Virginia; Revisions to the State Implementation Plans (SIPs) Addressing Ozone Monitoring

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes to approve revisions to the following states State Implementation Plans (SIPs) for ozone: Delaware, the District of Columbia, Maryland, Pennsylvania, and Virginia. This action is based upon revision requests submitted by these states to satisfy the requirements of the Clean Air Act, as amended November 15, 1990 and the Photochemical Assessment Monitoring Stations (PAMS) regulations. The PAMS regulation required states to provide for the establishment and maintenance of an enhanced ambient air quality network in the form of PAMS by November 12, 1993.

In the Final Rules section of this **Federal Register**, EPA is approving these states' SIP revisions as a direct final rule without prior proposal because the Agency views these as noncontroversial SIP revisions and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. 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.

DATES: Comments must be received in writing by October 11, 1995.

ADDRESSES: Written comments on this action should be addressed to Marcia L. Spink, Associate Director, Air Programs, Mailcode 3AT00, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air, Radiation, and Toxics Division, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107; and the Delaware Department of Natural Resources & Environmental Control, 89 Kings Highway, P.O. Box 1401, Dover, Delaware 19903; District of Columbia Department of Consumer and Regulatory Affairs, 2100 Martin Luther King Avenue, SE., Washington, DC 20020; Maryland Department of the Environment, 2500 Broening Highway, Baltimore, Maryland, 21224; Pennsylvania Department of Environmental Protection, P.O. Box 8468, 400 Market Street, Harrisburg,