

of the dry cleaning NESHAP. CARB's request for approval was submitted pursuant to the provisions of 40 CFR § 63.93 and was found to be complete on August 9, 1995.

B. Major Dry Cleaning Sources

Under the dry cleaning NESHAP, dry cleaning facilities are divided between major sources and area sources. CARB's request for approval includes only those provisions of the dry cleaning NESHAP that apply to area sources. Thus, dry cleaning facilities that are major sources, as defined by the dry cleaning NESHAP, remain subject to the dry cleaning NESHAP and the Title V operating permit program.

C. Equivalent Emission Control Technology

Under the dry cleaning NESHAP, any person may petition the EPA Administrator for a determination that the use of certain equipment or procedures is equivalent to the standards contained in the dry cleaning NESHAP (see 40 CFR 63.325). As a supplement to its request for approval of the dry cleaning ATCM, CARB has also requested approval of the authority to determine equivalent emission control technology. Given the form of CARB's application, EPA is treating this supplement as a separate and independent request for approval.

II. California's Authorities and Resources To Implement and Enforce CAA Section 112 Standards

Any request for approval under CAA section 112(l) must meet the approval criteria in 112(l)(5) and 40 CFR Part 63, Subpart E. To streamline the approval process for future applications, a State may submit for approval a demonstration that it has adequate authorities and resources to implement and enforce any CAA section 112 standards. Approval of this demonstration will obviate the need for the State to resubmit in each subsequent request for approval its prior demonstration that it has adequate authorities and resources to implement and enforce the section 112 standard.

As part of its dry cleaning ATCM application, CARB is also requesting approval of California's authorities and resources to implement and enforce all CAA section 112 programs and rules, with the exception of the accidental release prevention program to be promulgated pursuant to CAA section 112(r). Although approval of California's authorities and resources will not result in delegation of the section 112 standards, it will obviate the need for California to resubmit a demonstration

of these same authorities and resources for every subsequent request for delegation of section 112 standards, regardless of whether the State requests approval of rules that are identical to or differ from the Federal standards as promulgated.

Since the above demonstration is also required under 40 CFR Part 70, EPA will evaluate this demonstration as it applies to Part 70 sources when it evaluates the Part 70 program applications submitted by the California air pollution control or air quality management districts.

III. Public Comment

EPA is seeking comment on all aspects of California's requests for approval, i.e., the dry cleaning ATCM as a substitute for the dry cleaning NESHAP, the request for approval of the authority to determine equivalent emission control technology, and the adequacy of California's authorities and resources. EPA will consider all public comments submitted during the public comment period. Issues raised by the comments will be carefully reviewed and considered in the decision to approve or disapprove CARB's requests. EPA expects to make a final decision on whether or not to approve California's requests on or around February 5, 1996, and will provide notice of its decision in the Federal Register. The notice will include a summary of the reasons for the final decision and a summary of all major comments.

List of Subjects in 40 CFR Part 63

Environmental protection, Administrative practice and procedure, Air pollution control, Hazardous substances, Intergovernmental relations, Incorporation by reference, Reporting and recordkeeping requirements.

Authority: This action is issued under the authority of Title III of the Clean Air Act as amended, 42 U.S.C. 2399.

Dated: September 25, 1995.

Felicia Marcus,

Regional Administrator.

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40 CFR Part 81

[AD-FRL-5316-3]

Clean Air Act Reclassification; Pennsylvania—Liberty Borough Nonattainment Area; PM-10; Extension of Comment Period

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; extension of the comment period.

SUMMARY: EPA is extending the comment period for a document published on September 19, 1995 (60 FR 48439). In the September 19 document, EPA proposed to find that the Liberty Borough, Pennsylvania nonattainment area for particulate matter of nominal aerodynamic diameter smaller than 10 micrometers (PM-10) did not attain national ambient air quality standards for that pollutant by the statutory attainment date. At the request of the Allegheny Health Department, EPA is extending the comment period through November 20, 1995. EPA is declining the County's requests to extend the comment period through December 18, 1995 or to extend the period indefinitely.

DATES: Comments must be received on or before November 20, 1995.

ADDRESSES: Comments may be mailed to Marcia L. Spink, Associate Director, Air Programs, Mailcode 3AT00, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107.

FOR FURTHER INFORMATION CONTACT: Thomas A. Casey, U.S. EPA Region III, (215) 597-2746.

Dated: October 12, 1995.

Al Morris,

Acting Regional Administrator, Region III.

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DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 107

[Docket No. HM-207E, Notice No. 95-14]

RIN 2137-AC70

Hazardous Materials Pilot Ticketing Program; Extension of Comment Period

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Proposed rule; Extension of comment period.

SUMMARY: On August 21, 1995, RSPA published a notice of proposed rulemaking (NPRM) in the Federal Register which invited public comment on a proposal to implement a pilot program for ticketing of certain hazardous materials transportation violations [Docket HM-207E, Notice 95-10, 60 FR 43430]. Under the program, RSPA would issue tickets for violations that do not have substantial impacts on safety. RSPA has received a request