

impact, the Department relied upon the data and assumptions for the corresponding Federal regulations.

List of Subjects in 30 CFR Part 917

Intergovernmental relations, Surface mining, Underground mining.

Dated: December 1, 1995.

Allen D. Klein,

Regional Director, Appalachian Regional Coordinating Center.

For the reasons set out in the preamble, Title 30, Chapter VII, Subchapter T of the Code of Federal Regulations is amended as set forth below:

PART 917—KENTUCKY

1. The authority citation for Part 917 continues to read as follows:

Authority: 30 U.S.C. 1201 *et seq.*

2. Section 917.15 is amended by adding paragraph (zz) to read as follows:

§ 917.15 Approval of regulatory program amendments.

* * * * *

(zz) Revisions to the following rules, as submitted to OSM on August 2, 1994, and revised on January 11, 1995, are approved effective December 7, 1995:

405 KAR 16:010

Sections 1, 6, 7, and 8 General Provisions/
Surface Mines

405 KAR 18:010

Sections 4, 5, and 6 General Provisions/
Underground Mines

[FR Doc. 95-29876 Filed 12-6-95; 8:45 am]

BILLING CODE 4310-05-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[OH80-2-7241; FRL-5340-1]

Approval and Promulgation of Implementation Plans; Ohio

AGENCY: United States Environmental Protection Agency (USEPA).

ACTION: Final rule.

SUMMARY: The USEPA is approving, in final, Ohio's 1990 base-year ozone precursor emissions inventories for the Canton, Cincinnati-Hamilton, Cleveland-Akron-Lorain and Youngstown-Warren-Sharon ozone nonattainment areas as revisions to 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-Hamilton (Butler, Clermont, Hamilton and Warren Counties); Cleveland-Akron-Lorain (Ashtabula, Cuyahoga, Geauga, Lake, Lorain, Medina, Portage and Summit Counties); and Youngstown-Warren-Sharon (Mahoning and Trumbull Counties).

EFFECTIVE DATE: This action will be effective January 8, 1996.

ADDRESSEES: Copies of the State submittal and USEPA's analysis of it are available for inspection at the following location (it is recommended you contact William Jones at (312) 886-6058 before visiting the Region 5 office): J. Elmer Bortzer, Chief, Regulation Development Section, Regulation Development Branch (AR-18J), USEPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: William Jones, Environmental Engineer, Regulation Development Section, Regulation Development Branch (AR-18J), USEPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-6058.

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 1 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; and "Procedures for Emissions Inventories Preparation, Volume IV: Mobile Sources," (EPA-450/4-81-026d) (Procedures; Volume IV) dated 1992.

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 a USEPA technical support document dated October 3, 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-Hamilton, Cleveland-Akron-Lorain, Columbus, Dayton-Springfield, Toledo and Youngstown-Warren-Sharon. The USEPA has completed its review of the emissions inventories submitted for the Canton (which includes Stark County), Cincinnati-Hamilton (which includes Butler, Clermont, Hamilton and Warren Counties), Cleveland-Akron-Lorain (Ashtabula, Cuyahoga, Geauga, Lake, Lorain, Medina, Portage and Summit Counties) and Youngstown-Warren-Sharon (which includes Mahoning and Trumbull Counties) ozone nonattainment areas. Revisions to the March 1994 submittal were submitted on June 8 and August 18, 1995 for these areas. These revisions addressed deficiencies highlighted in USEPA's proposed rulemaking. The 1990 base-year emissions inventories submitted for the Toledo and Dayton-Springfield were approved in a rulemaking published in the Federal Register on March 22, 1995 (60 FR 15053). The emissions inventory submitted for the Columbus area will be addressed in a separate rulemaking.

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 procedures utilized in the development of an emissions inventory and contains the quality assurance and quality control plan (QA/QC). On March 19, 1992, the State of Ohio submitted a final ozone emissions IPP. On April 15, 1992, USEPA informed the State that the IPP was not approvable at the time. Subsequently, USEPA has worked with the State to correct deficiencies in the IPP. With the March 1994 SIP revision request, the State submitted documentation of how the emissions inventory was prepared, as well as a quality assurance report for the point, area, and mobile source portions of the emissions inventory. The USEPA finds that this documentation and quality assurance report are acceptable to meet the requirements of an IPP.

Point Source Emissions Inventory

For each nonattainment area, the State submitted a point source emissions inventory of all facilities that emit at least 10 tons per year (tpy) of VOC, or 100 tpy NO_x or CO. The State also included sources that emit 100 tpy of VOC, CO, or NO_x located in a 25-mile boundary surrounding each nonattainment area. The point source emissions inventory contains general facility information, number of sources,

production schedules and related emissions for each source, emissions limitation, control efficiency and rule effectiveness (RE), as applicable, and total emissions on an annual and daily ozone season basis.

The following methods were employed by the State to identify sources to be included in the 1990 base-year emissions inventory: The 1989 records for plants in the Emissions Inventory System (EIS) were checked and plants meeting the VOC, CO or NO_x criteria were revised with 1990 emissions data; the air permit records were reviewed for plants that are candidates for inclusion in the point source inventory; and current industrial directories and the Toxic Release Information System (TRIS) database were checked for additional point source emissions. For facilities in the point source inventory, the State acquired the emissions data by means of the following: Mail surveys; plant inspections; telephone calls; and air permit files.

The USEPA reviewed the point source emissions data by cross referencing the point source inventory to the following sources: (1) USEPA's guidance document entitled "Major CO, NO₂, and VOC Sources in the 25-Mile Boundary Around Ozone Nonattainment Areas, Volume I: Classified Ozone Nonattainment Areas," (EPA-450/4-92-005a) February 1992; a 1990 TRIS Retrieval; and a 1990 Aerometric Information Retrieval Systems (AIRS) Facility Subsystem—Emission to Compliance Comparison Report.

Where a source was governed by a regulation or a control device, the emissions limit was stated. A RE factor was then applied in the determination of emissions. In accordance with USEPA guidance, a standard RE factor of 80 percent was utilized, unless otherwise justified.

Area Source Emissions Inventory

Area source emissions were calculated using State-specific data as well as USEPA guidance documents and technical memoranda developed for various categories. The State utilized emission factors from Procedures; Volumes I and IV, and AP-42 and provided necessary documentation. The following area source categories were included in the emissions inventory: Gasoline loading and distribution, dry cleaning, degreasing, architectural surface coatings, traffic markings, automobile refinishing, graphic arts, cutback asphalt, pesticide application, commercial/consumer solvents, bakeries, waste management practices (landfills), leaking underground storage

tanks, incineration of solid waste, stationary fossil fuel combustion, and fires (structural, open burn, etc.). Vehicle refueling emissions were included as part of the mobile source emissions inventory.

The area source inventory was reviewed utilizing USEPA's guidance documents, and the Level I and II checklists, to ensure that all source categories and their related emissions (and emission factors) were included in the area source emissions inventory. Seasonal adjustments, rule effectiveness, and rule penetration factors were applied as indicated in the State submittal.

On-Road Mobile Source Emissions Inventory

Development of Emission Factors

In the development of the mobile source emissions inventory, the State utilized USEPA's mobile source emissions model, Mobile 5a, for the determination of emissions factors for eight vehicle types and twelve roadway types. Hard-copy documentation of the input and output files are provided in the State's submittal. Where available, the State-specific inputs were utilized in the development of the input files for Mobile 5a.

Development of Vehicle Miles Travelled (VMT)

Canton, Cleveland-Akron-Lorain and Youngstown-Warren-Sharon Areas: The 1990 VMT for each roadway type was developed by the Ohio Department of Transportation (ODOT). ODOT maintains data on each section of highway in the State of Ohio. VMT were developed by the State Road Inventory System and reported through the Highway Performance Monitoring System (HPMS) to the Federal Highway Administration (FHWA).

Each roadway section daily VMT (dVMT) is computed as the annual average daily traffic (AADT) for that section times the length of the section. The county DVMT is the sum of the DVMT for each highway functional classifications in the county. The total dVMTs are then summed as a statewide total. The statewide totals are then compared by functional class to the 1990 HPMS submittal. For those classifications were traffic counts are available for all or nearly all their sections, the totals were essentially the same. For those with more off-systems roads, the resulting totals were larger than the HPMS's submittal value (as expected). Correction factors were computed from the two sets of totals and applied to the individual cells.

ODOT used permanent and portable vehicle classification equipment to develop the vehicle mix by functional classification of highway. Trafficomp III vehicle classification equipment are used to support the HPMS data collection effort. A software program called OHIO CONVERT formats vehicle classification data into the FHWA Vehicle Classification categories.

Cincinnati-Hamilton Area: For the Cincinnati-Hamilton area, the Ohio-Kentucky-Indiana Regional Council of Governments (OKI) was responsible for the development of the mobile source emissions inventory. OKI developed this inventory for the Ohio and Kentucky portions of the interstate nonattainment area. OKI utilized the OKI Travel Demand Model to estimate the traffic volume on each roadway segment and an OKI utility program to which calculates the loaded speed, VMT and emissions for each roadway segment.

The OKI travel demand model is a computerized travel demand forecasting model for the entire interstate nonattainment area. The model uses a four phase sequential travel demand forecasting process of trip generation, distribution modal choice and assignment. The OKI Travel Demand Model is composed of TRANPLAN programs and Fortran programs written by OKI.

The model takes zonal demographic data and the transportation network as inputs and produces estimated traffic volumes on each roadway segment in the network. Traffic zones are the analysis units in the model. The OKI region is divided into 909 zones. The output of the model is a loaded highway network which contains information for each link such as initial speed, capacity, distance, functional class district number area type and forecasted traffic.

Off-Road Mobile Source Emissions Inventory

Canton, Cincinnati-Hamilton and Youngstown-Warren-Sharon Areas: The State developed emissions estimates for the following off-road categories according to USEPA guidance: Aircraft, railroad locomotives, recreational boating, off road motorcycles, agricultural equipment, construction equipment, industrial equipment, and lawn and garden equipment. Documentation was provided as to the sources of emissions factors utilized and

were submitted in the area source emissions inventory portion of the submittal.

Cleveland-Akron-Lorain Area: The State utilized emissions estimates for non-road emissions developed by the Office of Mobile Sources (OMS - USEPA) in October 1992, in accordance with USEPA requirements for the Cleveland-Akron-Lorain off-road mobile source emissions inventory. These OMS emissions estimates are provided for off-road diesel engines, as well as two-stroke and four-stroke gasoline engines, including off-road motorcycles, construction equipment, farm equipment, lawn and garden equipment, industrial equipment, and recreational vessels. In addition, the State included in the off-road mobile source inventory emissions from aircraft, railroads, and commercial vessels, which are not included in the OMS data. These estimates were developed using emissions factors from AP-42 and activity factors gathered from various sources.

The off-road mobile source inventory was reviewed utilizing the Level I and II checklists and USEPA's guidance documents to ensure that all source categories and their related emissions factors were included in the off-road mobile source emissions inventory.

Biogenic Emissions Inventory

The State of Ohio developed the naturally occurring (biogenic) emissions for the Canton, Cincinnati-Hamilton, Cleveland-Akron-Lorain and Youngstown-Warren-Sharon areas according to a USEPA's guidance document entitled "User's Guide to the Personal Computer Version of the Biogenic Emissions Inventory System (PC-BEIS)," (EPA-450/4-91-017) dated July 1991. Meteorological data utilized in PC-BEIS was collected in accordance with USEPA guidance. The ten warmest days from the period between 1988 to 1990 with the highest hourly peak ozone concentrations in each ozone nonattainment areas was collected and reviewed. As required by USEPA guidance, the corresponding ozone concentration to the fourth highest daily maximum temperature for each nonattainment area was selected and utilized in the model. The State provided hard copy documentation as to the meteorological inputs utilized and PC-BEIS output files for the biogenic emissions inventory for the Canton,

Cincinnati-Hamilton, Cleveland-Akron-Lorain and Youngstown-Warren-Sharon nonattainment areas.

IV. Approval of the Emissions Inventories

In a letter addressed to Robert Hodanbosi, Chief, Division of Air Pollution Control, OEPA, dated March 23, 1995, USEPA provided comments on the 1990 base-year ozone emissions inventories submitted for the Canton, Cincinnati-Hamilton, Cleveland-Akron-Lorain and Youngstown-Warren-Sharon areas. These comments addressed corrections that would be needed before the inventories could be finally approved.

In a letter dated June 8, 1995, the State of Ohio provided a response to comments on the area, on-road and off-road mobile, and biogenic source emissions. The USEPA has reviewed these responses and finds that the State has satisfied the Agency's comments and that the emissions inventory for the area, on-road mobile, non-road mobile, and biogenic sources is approvable.

At the time of the proposed rulemaking, the State had not responded to the point source emissions inventory comments that were stated in the March 23, 1995, letter (these comments addressed possible facilities that may be required to be included in the point source emissions inventory). The USEPA proposed to approve the State's point source emissions inventory contingent upon the State's response (and completion of USEPA's review) to the point source emissions comments.

In a letter dated August 18, 1995, the State of Ohio provided a response to comments on the point source emissions inventory. The USEPA has reviewed these responses and finds that the State has satisfied the Agency's comments and that the emissions inventory for point sources is approvable.

V. Summary of Ozone Emissions Inventory

The following summary indicates the emissions inventories for an average ozone summer weekday for the Canton, Cincinnati-Hamilton, Cleveland-Akron-Lorain and Youngstown-Warren-Sharon ozone nonattainment areas. The emissions are stated in tons per ozone season weekday:

CANTON OZONE NONATTAINMENT AREA
[Tons per day]

Source type	VOC	CO	NO _x
Point Sources	12.36	40.17	6.74
Area Sources	18.93	1.54	0.98
On-Road Mobile Sources	31.66	188.59	16.24
Off-Road Mobile Sources	23.72	63.00	15.89
Biogenic Sources	36.66
Totals	123.33	293.30	39.85

CINCINNATI-HAMILTON OZONE NONATTAINMENT AREA
[Tons per day]

Source type	VOC	CO	NO _x
Point Sources	70.43	88.79	280.67
Area Sources	64.48	5.41	2.29
On-Road Mobile Sources	125.84	793.16	130.68
Off-Road Mobile Sources	37.37	274.57	34.45
Biogenic Sources	109.04
Totals	407.16	1161.93	448.09

CLEVELAND-AKRON-LORAIN OZONE NONATTAINMENT AREA
[Tons per day]

Source type	VOC	CO	NO _x
Point Sources	82.22	208.69	245.59
Area Sources	120.86	12.64	9.54
On-Road Mobile Sources	248.37	1402.01	176.58
Off-Road Mobile Sources	80.19	808.32	70.92
Biogenic Sources	195.37
Totals	727.01	2431.66	502.63

YOUNGSTOWN-WARREN-SHARON OZONE NONATTAINMENT AREA
[Tons per day]

Source type	VOC	CO	NO _x
Point Sources	16.71	18.74	23.25
Area Sources	27.80	13.02	7.00
On-Road Mobile Sources	48.98	293.54	29.87
Off-Road Mobile Sources	13.48	87.88	10.99
Biogenic Sources	50.26
Totals	157.23	413.18	71.11

VI. Proposed Rulemaking Action and Solicitation of Public Comment

On July 10, 1995, USEPA published a rulemaking proposing to approve the emissions inventories submitted by the State of Ohio for the Canton, Cincinnati-Hamilton, Cleveland-Akron-Lorain, and Youngstown-Warren-Sharon ozone nonattainment areas (refer to 60 FR 35535). No comments were submitted to USEPA on this proposed action. Also, the proposed rulemaking discussed the use of a letter notice procedure for final approval of this SIP revision. The USEPA has decided to take final action through the Federal Register and not

use the letter notice procedure for this action.

VII. Final Action

The USEPA is approving, in final, Ohio's 1990 base-year ozone precursor emissions inventories for the Canton (Stark County); Cincinnati-Hamilton (Butler, Clermont, Hamilton and Warren Counties); Cleveland-Akron-Lorain (Ashtabula, Cuyahoga, Geauga, Lake, Lorain, Medina, Portage and Summit Counties); and Youngstown-Warren-Sharon (Mahoning and Trumbull Counties) ozone nonattainment areas. These emissions inventories were

submitted as revision to Ohio's State Implementation Plan.

VIII. General Provisions

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 for signature by the Regional Administrator under the

procedures published in the Federal Register on January 19, 1989 (54 FR 2214-2225), as revised by a July 10, 1995, memorandum from Mary Nichols, Acting Assistant Administrator for Air and Radiation. The Office of Management and Budget has exempted this regulatory action from Executive Order 12866 review.

IX. Regulatory Process

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 CAA 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 CAA, preparation of a regulatory flexibility analysis would constitute Federal inquiry into the economic reasonableness of State action. The CAA forbids USEPA to base its actions concerning SIPs on such grounds. *Union Electric Co. v. U.S. E.P.A.*, 427 U.S. 246, 256-66 (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 of \$100 million or more to State, local, or tribal governments in the aggregate or to the private sector. Approval of Ohio's emissions inventories does not impose any new requirements on small entities.

Under Section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by February 5, 1996. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See Section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: November 20, 1995.
Valdas V. Adamkus,
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 KK—Ohio

2. Section 52.1885 is amended by adding new paragraph (v) to read as follows:

§ 52.1885 Control Strategy: Ozone.

* * * * *

(v) Approval—The 1990 base-year ozone emissions inventory requirement of Section 182(a)(1) of the Clean Air Act has been satisfied for the Canton (Stark County); Cincinnati-Hamilton (Butler,

Clermont, Hamilton and Warren Counties); Cleveland-Akron-Lorain (Ashtabula, Cuyahoga, Geauga, Lake, Lorain, Medina, Portage and Summit Counties); and Youngstown-Warren-Sharon (Mahoning and Trumbull Counties) areas.

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40 CFR Parts 52 and 81

[Region II Docket No. 146, NJ23-1-7243(a); FRL-5322-2]

Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; State of New Jersey; Revised Policy Regarding Applicability of Oxygenated Fuels Requirements

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: On June 9, 1995, the New Jersey Department of Environmental Protection (NJDEP) submitted requests to redesignate the Camden County nonattainment area and nine not-classified areas from nonattainment to attainment for carbon monoxide (CO). Under the Clean Air Act as amended in 1990 (CAA), designations can be revised if sufficient data is available to warrant such revisions. In this action, EPA is approving the New Jersey requests because they meet the redesignation requirements set forth in the CAA, which include the submittal of maintenance plans.

In addition, EPA is approving two related State Implementation Plan (SIP) submissions by NJDEP. On November 15, 1992, NJDEP submitted a final 1990 base year emission inventory for CO emissions. This includes emissions data for the entire State for all sources of CO in New Jersey's CO nonattainment areas. NJDEP also submitted contingency measures in the event the State fails to maintain the national ambient air quality standards for CO or if its vehicle miles travelled forecast is exceeded. In this action, EPA is approving New Jersey's CO emissions inventory submission and contingency measures.

EFFECTIVE DATES: This final rule is effective on February 5, 1996 unless adverse or critical comments are received by January 8, 1996. If the effective date is delayed, timely notice will be published in the Federal Register.

ADDRESSES: Written comments should be addressed to: William S. Baker, Chief, Air Programs Branch,