

Knox County Department of Air Pollution Control, City-County Building, Suite 339, 400 West Main Street, Knoxville, Tennessee, 37902.

FOR FURTHER INFORMATION CONTACT: Karen C. Borel, Regulatory Planning and Development Section, Air Programs Branch, Air, Pesticides & Toxics Management Division, Region 4 Environmental Protection Agency, 345 Courtland Street, NE, Atlanta, Georgia 30365. The telephone number is 404/347-3555 x4197. Reference file TN134-01-6769.

SUPPLEMENTARY INFORMATION: For additional information see the direct final rule which is published in the rules section of this Federal Register.

Dated: October 2, 1995.

Patrick M. Tobin,

Acting Regional Administrator.

[FR Doc. 95-31037 Filed 12-22-95; 8:45 am]

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40 CFR Part 52

[ME26-1-7263b; FRL-5345-8]

Approval and Promulgation of Implementation Plans; Maine; NO_x Exemption Request for Northern Maine and NO_x Control Approval

AGENCY: United States Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA is approving, through direct final rulemaking procedures, a limited exemption request from the requirements contained in Section 182(f) of the Clean Air Act (Act) for the Northern Maine area (specifically, Oxford, Franklin, Somerset, Piscataquis, Penobscot, Washington, Aroostook, Hancock and Waldo Counties). These 9 counties, as with the rest of the State of Maine, are part of the Ozone Transport Region (OTR) as provided for in section 184(a) of the Clean Air Act. Section 182(f) in combination with section 184 (relating

to ozone transport regions) of the Act requires States in the OTR, such as Maine, to adopt reasonably available control technology (RACT) rules for major stationary sources of nitrogen oxides (NO_x) and to provide for nonattainment area new source review (NSR) for new sources and modifications that are major for NO_x. This exemption request, submitted by the State of Maine on September 7, 1995, is based on a demonstration that NO_x emissions in this 9 county area are not impacting Maine's moderate nonattainment areas or other nonattainment areas in the Ozone Transport Region (OTR) during times when elevated ozone levels are monitored in those areas. As such, additional reductions in NO_x emissions from these 9 counties beyond what the State regulations would provide for are not necessary for attainment in these areas, and, because they do not contribute to the ozone problem anywhere in the OTR, are also not necessary for purposes of showing future attainment for any other area in the OTR. Thus, as provided for in section 182(f)(2), additional NO_x reductions in these areas would constitute excess reductions that can be waived under the Clean Air Act. Maine has requested that EPA combine its approval of this NO_x exemption with its approval of NO_x controls for existing sources in Northern Maine that were submitted to EPA on August 5, 1994 for purposes of meeting the Act's NO_x RACT requirements. Consequently, this action approves a full exemption from nonattainment NSR requirements for NO_x, but only a limited exemption from NO_x control measures for existing sources that would go beyond what the State regulations provide for.

In the Final Rules Section of this Federal Register, EPA is approving this exemption request and limited NO_x controls for this area as a direct final rule without prior proposal. A detailed rationale for the approval is set forth in the direct final rule. This direct final

rule also includes EPA's response to several comments submitted by groups on past NO_x exemption requests. If no additional adverse comments are received in response to the direct final rule, no further activity is contemplated in relation to this proposed 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 on this action must be received by January 25, 1996.

ADDRESSES: Comments may be mailed to Susan Studlien, Deputy Director, Office of Ecosystem Protection, U.S. Environmental Protection Agency, Region I, JFK Federal Bldg., Boston, MA 02203. Copies of the State submittal and EPA's technical support document are available for public inspection during normal business hours, by appointment at the Office of Ecosystem Protection, U.S. Environmental Protection Agency, Region I, One Congress Street, 10th floor, Boston, MA and the Bureau of Air Quality Control, Department of Environmental Protection, 71 Hospital Street, Augusta, ME 04333.

FOR FURTHER INFORMATION CONTACT: Robert C. Judge, Environmental Engineer, Air Quality Planning (ATS), United States Environmental Protection Agency, Region 1, JFK Federal Building, Boston, MA 02203. (617) 565-4874.

SUPPLEMENTARY INFORMATION: For additional information see the direct final rule published in the Rules Section of this Federal Register.

Authority: 42 U.S.C. 4201-7601q

Dated: December 1, 1995.

Carol M. Browner,

Administrator.

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