

Marketing Refinery terminal in a loaded condition.

(b) *Effective Date:* This section is effective from 11:59 p.m., January 19, 1996 to 11:59 a.m., January 29, 1996. If the conditions requiring a safety zone terminate at an earlier date, the Captain of the Port, Philadelphia, may advise mariners by Broadcast Notice to Mariners that the safety zone will not be enforced.

(c) *Regulations:* (1) No person or vessel may enter the safety zone unless its operator obtains permission of the Captain of the Port or his designated representative.

(d) As a condition of entry, the COTP or his designated representative may order that each vessel:

(1) Maintain a continuous radio guard on channel 16 and channel 13 VHF-FM while underway;

(2) Proceed as directed by the designated representative of the Captain of the Port, Philadelphia;

(3) Not overtake the T/V HAVPRINS unless the overtaking is to be completed before any bends in the channel, and the pilots, masters and operators of both vessels clearly agree on all actions including vessel speeds, time and location of overtaking; and

(4) When above the C&D Canal, not meet the T/V HAVPRINS at a relative speed greater than twenty (20) knots, or greater than prevailing weather conditions make prudent. The COTP will not permit meeting situations on river bends absent exigent circumstances related to safe navigation of either vessel.

(e) *Definitions:* The following definitions shall apply within the safety zone.

(1) The designated representative of the Captain of the Port is any Coast Guard commissioned, warrant, or petty officer who has been authorized by the Captain of the Port, Philadelphia, Pennsylvania to act on his behalf. The designated representative enforcing the safety zone may be contacted on VHF channels 13 and 16. The Captain of the Port of Philadelphia and the Command Duty Officer at the Marine Safety Office, Philadelphia, may be contacted at telephone number (215) 271-4940.

(2) Loaded condition is LPG on board exceeding 2% of cargo tank capacity of the vessel.

Dated: January 19, 1996.

John E. Veentjer,

Captain, U.S. Coast Guard, Captain of the Port, Philadelphia, PA.

[FR Doc. 96-1389 Filed 1-25-96; 8:45 am]

BILLING CODE 4910-14-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[DE26-1-6940a; FRL-5320-1]

Approval and Promulgation of Air Quality Implementation Plans; Delaware: Regulation 24—"Control of Volatile Organic Compound Emissions"

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is approving a State Implementation Plan (SIP) revision submitted by the State of Delaware on December 19, 1994 pertaining to Delaware Regulation 24—"Control of Volatile Organic Compound Emissions", sections 10, 11, 12, 44, 45, 47, 48, and 49, and Appendices I, K, L, and M, effective November 29, 1994. These sections of Regulation 24 establish additional emission standards that represent the application of reasonably available control technology (RACT) to categories of stationary sources of volatile organic compounds (VOCs), and establish associated testing, monitoring, recordkeeping, compliance certification, and permit requirements. This revision was submitted to comply with the RACT "Catch-up" provisions of the Clean Air Act Amendments of 1990 (CAAA). This action is being taken under section 110 of the Clean Air Act (CAA).

EFFECTIVE DATE: This action will become effective March 26, 1996 unless notice is received on or before February 26, 1996 that adverse or critical comments will be submitted. If the effective date is delayed, timely notice will be published in the Federal Register.

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. 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; the Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460; and the Delaware Department of Natural Resources & Environmental Control, 89 Kings Highway, P.O. Box 1401, Dover, Delaware 19903.

FOR FURTHER INFORMATION CONTACT: Rose Quinto, (215) 597-3164, at the EPA Region III address above.

SUPPLEMENTARY INFORMATION: On December 19, 1994, the Delaware Department of Natural Resources & Environmental Control (DNREC) submitted a revision to its SIP. This revision was submitted to comply with the RACT "Catch-up" provisions of the CAA. The revision pertains to Regulation 24, "Control of Volatile Organic Compound Emissions", by establishing statewide emissions standards for eight (8) additional VOC source categories, effective November 29, 1994. The 8 additional VOC source categories are as follows: (1) Section 10—Aerospace Coatings, (2) Section 11—Motor Vehicle Refinishing, (3) Section 12—Surface Coating of Plastic Parts, (4) Section 44—Batch Processing Operations, (5) Section 45—Industrial Cleaning Solvents, (6) Section 47—Offset Lithographic Printing, (7) Section 48—Reactor Processes and Distillation Operations in the Synthetic Organic Chemical Manufacturing Industry (SOCMI), and (8) Section 49—Control of Volatile Organic Compound Emissions from Volatile Organic Liquid Storage Vessels. In addition, new appendices were added as follows: Appendix I—Method to Determine Length of Rolling Period for Liquid/Liquid Material Balance, Appendix K—Emission Estimation Methodologies, Appendix L—Method to Determine Total Organic Carbon for Offset Lithographic Solutions, and Appendix M—Test Methods for Determining the Performance of Alternative Cleaning Fluids. A revision to Regulation 24, section 2—Definitions—additions, and an Errata sheet to correct typographical errors, reference notations, etc. were also submitted on December 19, 1994 and effective November 29, 1994.

I. EPA Evaluation and Action

VOCs contribute to the production of ground level ozone and smog. These rules were adopted as part of an effort to achieve the National Ambient Air Quality Standard (NAAQS) for ozone. [The other source categories was published in the Federal Register on May 3, 1995 (60 FR 21708).] The following is EPA's evaluation of and action on sections 10, 11, 12, 44, 45, 47, 48, and 49, and appendices I, K, L, and M of Regulation 24, for the State of Delaware. Detailed descriptions of the amendments addressed in this document, and EPA's evaluation of the amendments, are contained in the technical support document (TSD) prepared for these rulemaking actions

by EPA. Copies of the TSD are available from the EPA Regional office listed in the ADDRESSES section of this document.

For the purpose of assisting States and local agencies in developing RACT rules, EPA prepared a series of control technique guidance (CTG), and alternative control technology (ACT). The CTGs and ACTs applicable to the sections mentioned above are:

Aerospace Coatings (CTG & MACT)—59 FR 29216, June 6, 1994; Automobile Refinishing (ACT)—EPA-453/R-94-031, April 1994; Surface Coating of Automotive/Transportation and Business Machine Parts (ACT)—EPA-453/R-94-017, February 1994; Control of VOC Emissions from Batch Processes (ACT)—EPA-453/R-93-017, February 1994; Industrial Cleaning Solvents (ACT)—EPA-453/R-94-015, February 1994; Offset Lithographic Printing (ACT)—EPA-453/R-94-054, June 1994; Control of VOC Emissions from Reactor Processes and Distillation Operations in SOCOMI (CTG)—EPA-450/4-91-031, August 1993; and Volatile Organic Liquid Storage in Floating and Fixed Roof Tanks (ACT)—EPA-453/R-94-001, January 1994.

State Submittal: Sections 10, 11, 12, 44, 45, 47, 48, and 49 of Regulation 24 cover the following VOC source categories, respectively: Aerospace Coatings, Motor Vehicle Refinishing, Surface Coating of Plastic Parts, Batch Processing Operations, Industrial Cleaning Solvents, Offset Lithographic Printing, Reactor Processes and Distillation Operations in the Synthetic Organic Chemical Manufacturing Industry, and Control of Volatile Organic Compound Emissions from Volatile Organic Liquid Storage Vessels. Appendices I, K, L, & M cover respectively: Method to Determine Length of Rolling Period for Liquid/Liquid Material Balance, Emission Estimation Methodologies, Method to Determine Total Organic Carbon for Offset Lithographic Solutions, and Test Method Determining the Performance of Alternative Cleaning Fluids.

A. Section 10—Aerospace Coatings

Section 10 applies to the following operations in each aerospace manufacturing or rework facility: (1) general cleaning operations, (2) all hand-wipe cleaning operations, (3) spray-gun cleaning operations, (4) all flush cleaning operations, (5) primer and topcoat application operation, (6) repainting operation, which applies to the repainting of the outer surface of aerospace vehicles with the exception of parts or units normally removed during repainting, (7) chemical milling

maskant application operation, and (8) waste storage and handling operation.

Section 10 does not apply to the following operations: Chemical milling, metal finishing, electrodeposition, composite processing, adhesives, adhesive bonding primers, sealants, and specialty coatings. Section 10 does not apply to the aerospace manufacturing and rework facilities whose plant-wide, actual emissions from the operations without control devices are less than 15 pounds of volatile organic compounds (VOCs) per day.

EPA's Evaluation: The regulations listed above are approvable as SIP revisions because they conform to EPA guidance and comply with the requirements of the CAA.

B. Section 11—Motor Vehicle Refinishing

Section 11 applies to any source that applies coatings to motor vehicle refinishing operation.

Section 11 does not apply to sources applying coatings to motor vehicle parts if the parts are not a component of a vehicle or mobile equipment being coated at a motor vehicle refinishing operation, and to any coating operation at a motor vehicle assembly plant.

EPA's Evaluation: The regulations listed above are approvable as SIP revisions because they conform to EPA guidance and comply with the requirements of the CAA.

C. Section 12—Surface Coating of Plastic Parts

Section 12 applies to any facility that coats plastic components for the following uses:

(1) Automotive or other transportation equipment including interior and/or exterior parts for automobiles, trucks (light-, medium-, or heavy-duty), large and small farm machinery, motorcycles, construction equipment, vans, buses, lawnmowers, and other mobile, motorized mobilized equipment.

(2) Housing and exterior parts for business and commercial machines including, but not limited to, computers, copy machines, typewriters, medical equipment, and entertainment equipment.

Section 12 does not apply to the following operations:

(1) Coating of interior and exterior parts of aircraft.

(2) Coating of exterior of completely assembled marine vessels.

(3) Refinishing of aftermarket automobiles, trucks, and other transportation equipment.

(4) Coating of internal electrical components of business and commercial machines.

(5) Coating of a metal component in a spray booth or on a process line.

Section 12 does not apply to plastic parts coating facilities whose plant wide actual emissions, without control devices, from all plastic parts coating operations, are less than 15 pounds of VOCs per day.

EPA's Evaluation: The regulations listed above are approvable as SIP revisions because they conform to EPA guidance and comply with the requirements of the CAA.

D. Section 44—Batch Processing Operations

Section 44 applies to process vents associated with batch processing operations in the following affected manufacturing facilities with the corresponding Standard Industrial Classification (SIC) Codes:

(1) Plastic Materials & Resins (SIC 2821).

(2) Medical Chemicals & Botanical Products (SIC 2833).

(3) Gum & Wood Chemicals (SIC 2861).

(4) Cyclic Crudes & Intermediates (SIC 2869).

(5) Industrial Organic Chemicals (SIC 2869).

(6) Agricultural Chemicals (SIC 2879).

Section 44 does not apply to the following operations:

(1) Combined process vents from each batch process train with an annual mass emission total of 10,000 lbs of VOCs or less; or

(2) Single unit operations which have annual mass emission of 227 kg (500 lb) VOCs or less.

EPA's Evaluation: The regulation listed above is approvable as a SIP revision because it conforms to EPA guidance and complies with the requirements of the CAA.

E. Section 45—Industrial Cleaning Solvents

Section 45 applies to all sources that use organic solvents for the purpose of cleaning. Section 45 does not apply to: any non-manufacturing area cleaning operation, any non-routine maintenance of manufacturing facilities and equipment, and any source that uses less than 4,540 kilograms (5 tons) of cleaning solvent per year.

EPA's Evaluation: The regulations listed above are approvable as SIP revisions because they conform to EPA guidance and comply with the requirements of the CAA.

F. Section 47—Offset Lithographic Printing

Section 47 applies to any offset lithographic printing facility, including

heatset web, non-heatset web (non-newspaper), non-heatset sheet-fed, and newspaper (non-heatset web) facilities.

Section 47 does not apply to any offset lithographic printing facility whose total actual VOC emissions from all lithographic printing operations (including emissions from cleaning solutions used on lithographic printing presses) are less than 15 lbs VOCs per day before the application of capture systems and control devices.

Section 47 does not apply to other types of printing operations, such as flexography, rotogravure, or letterpress.

EPA's Evaluation: The regulations listed above are approvable as SIP revisions because they conform to EPA guidance and comply with the requirements of the CAA.

G. Section 48—Reactor Processes and Distillation Operations in the Synthetic Organic Chemical Manufacturing Industry

Section 48 applies to any vent stream that originates from a process unit in which a reactor or distillation operation is located at a facility within the synthetic organic chemical manufacturing industry (SOCMI).

Section 48 does not apply to the following operations:

(1) Any reactor process or distillation operation that is designed and operated in a batch mode.

(2) Any reactor process or distillation operation that is part of a polymer manufacturing operation.

(3) Any reactor process or distillation operation that operates in a process unit with a total design capacity of less than 1,100 tons per year for all chemicals produced within that unit except for the reporting/recording requirements.

(4) Any vent stream for a reactor process or distillation operation with a flow rate less than 0.0085 standard cubic meters per minute (scmm) or a total VOC concentration of less than 500 parts per million by volume (ppmv) except for the performance testing requirement and the reporting/recording requirements.

EPA's Evaluation: The regulation listed above is approvable as a SIP revision because it conforms to EPA guidance and complies with the requirements of the CAA.

H. Section 49—Control of Volatile Organic Compound Emissions From Volatile Organic Liquid Storage Vessels

Section 49 applies to each storage vessel with a capacity equal to or greater than 40,000 gallons that is used to store volatile organic liquids (VOLs).

Section 49 does not apply to:

(1) Storage vessels with a capacity less than 5,000 gal.

(2) Storage vessels with a capacity equal to or greater than 5,000 gal and less than 40,000 gal provided that records are maintained.

(3) Storage vessels with a capacity equal to or greater than 40,000 gal storing a liquid with a maximum true vapor pressure less than 1.0 psia provided that records are maintained.

(4) Storage vessels with a capacity equal to or greater than 40,000 gal storing a liquid with a maximum true vapor pressure equal to or greater than 1.0 psia but less than 1.5 psia provided that records are maintained.

(5) Storage vessels at coke oven by-product plants.

(6) Pressure vessels which operate without emissions to the atmosphere.

(7) Storage vessels permanently attached to mobile vehicles such as trucks, railcars, barges, or ships.

(8) Storage vessels used to store beverage alcohol.

EPA's Evaluation: The regulation listed above is approvable as a SIP revision because it conforms to EPA guidance and complies with the requirements of the CAA.

I. Appendix I—Method To Determine Length of Rolling Period for Liquid/Liquid Material Balance

Appendix I determines the length of the rolling material balance period used in the liquid-liquid material balance test method to measure the overall performance of volatile organic compound (VOC) emission control; systems employing carbon adsorbers for solvent recovery as the control device.

Physical properties and usage are determined for the solvents used in the process, and configuration and operating parameters are identified for the emission source and its emission control system. This information is used to calculate the concentration of VOC in the outlet air of the capture unit, amount of VOC adsorbed on the carbon, maximum VOC loading on the carbon, unmeasured solvent holding capacity of the solvent recovery system, and unmeasured solvent holding capacity of the process unit. These values are then used to calculate the rolling material balance period.

EPA's Evaluation: The methods listed above are approvable as SIP revisions because they conform to EPA guidance and comply with the requirements of the CAA.

J. Appendix K—Emission Estimation Methodologies

The methodologies presented in Appendix K are based on the Ideal Gas Law and on fundamental vapor/liquid equilibrium relationships such as

Henry's and Raoult's Law. The equations are for estimating and characterizing uncontrolled emission streams from batch processes.

EPA's Evaluation: The methods listed above are approvable as SIP revisions because they conform to EPA guidance and comply with the requirements of the CAA.

K. Appendix L—Method To Determine Total Organic Carbon for Offset Lithographic Solutions

Appendix L is a method applicable for the determination of organic carbon in diluted offset lithographic solutions. Organic carbon in a sample is converted to carbon dioxide (CO₂) by catalytic combustion or wet chemical oxidation. The CO₂ formed can be measured directly by an infrared detector or converted to methane (CH₄) and measured by a flame ionization detector. The amount of CO₂ or CH₄ is directly proportional to the concentration of carbonaceous material in the sample.

EPA's Evaluation: The methods listed above are approvable as SIP revisions because they conform to EPA guidance and comply with the requirements of the CAA.

L. Appendix M—Test Method for Determining the Performance of Alternative Cleaning Fluids

Appendix M presents a test method for evaluating the performance of alternative cleaning fluids. Any fluids may be tested, but the primary intent is that it will be used to evaluate the performance of alternatives relative to a VOC solvent. It is a screening technique designed to determine whether the alternatives cleans at least as well as currently used VOC solvent in a simple, standardized wiping application.

EPA's Evaluation: The methods listed above are approvable as SIP revisions because they conform to EPA guidance and comply with the requirements of the CAA.

As required by 40 CFR 51.102, the State of Delaware has certified that public hearings with regard to these revisions were held in Delaware on September 22, 1994.

EPA is approving this SIP revision without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. However, in a separate document in this Federal Register publication, EPA is proposing to approve the SIP revision should adverse or critical comments be filed. This action will become effective March 26, 1996 unless, within 30 days of publication, adverse or critical comments are received.

If EPA receives such comments, this action will be withdrawn before the effective date by publishing a subsequent notice that will withdraw the final action. All public comments received will then be addressed in a subsequent final rule based on this action serving as a 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. If no such comments are received, the public is advised that this action will be effective on March 26, 1996.

Final Action

EPA is approving sections 10, 11, 12, 44, 45, 47, 48, and 49, and Appendices I, K, L, and M of Delaware Regulation 24 as a revision to the Delaware SIP. The State of Delaware submitted these amendments to EPA as a SIP revision on December 19, 1994.

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.

Under the Regulatory Flexibility Act, 5 U.S.C. 600 *et seq.*, EPA 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, EPA 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, the Administrator certifies 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 flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The CAA forbids EPA to base its actions concerning SIP's on such grounds. *Union Electric Co. v. U.S. EPA*, 427 U.S. 246, 255-66 (1976); 42 U.S.C. 7410(a)(2).

Under section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final that includes a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate; or to the private sector, of \$100 million or more. Under section 205, EPA the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the approval action proposed/promulgated does not include a Federal mandate that may result in estimated costs of \$100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. This Federal action approves pre-existing requirements under State or local law, and imposes no new Federal requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

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, Assistant Administrator for Air and Radiation. The Office of Management and Budget (OMB) has exempted this regulatory action from E.O. 12866 review.

Under section 307(b)(1) of the CAA, petitions for judicial review of this action approving the 8 additional VOC source categories for Delaware must be filed in the United States Court of Appeals for the appropriate circuit by March 26, 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, Hydrocarbons, Incorporation by reference, Ozone,

Reporting and recordkeeping requirements.

Dated: October 18, 1995.

W. Michael McCabe,

Regional Administrator, Region III.

40 CFR part 52, subpart I of chapter I, title 40 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 I—Delaware

2. Section 52.420 is amended by adding paragraphs (c)(54) to read as follows:

§ 52.420 Identification of plan.

* * * * *

(c) * * *

(54) Revisions to the Delaware State Implementation Plan submitted on December 19, 1994 by the Delaware Department of Natural Resources & Environmental Control:

(i) Incorporation by reference.

(A) Letter of December 19, 1994 from the Delaware Department of Natural Resources & Environmental Control transmitting Regulation 24—"Control of Volatile Organic Compound Emissions", effective November 29, 1994.

(B) Regulation 24—"Control of Volatile Organic Compound Emissions", Sections 10, 11, 12, 44, 45, 47, 48, and 49 and appendices I, K, L, and M, effective November 29, 1994.

(C) Administrative changes to Regulation 24, Section 2—Definitions: Addition of sections 2(c) Basecoat; 2(j) Clearcoat; 2(x) Gloss flattener; 2(bb) Internal Floating Roof; 2(gg) Liquid-mounted seal; 2(ss) Petroleum; 2(tt) Petroleum Liquid; 2(xx) Primer; 2(jjj) Storage Vessel; 2(mmm) Transfer efficiency; 2(ppp) Vapor-mounted seal; and 2(ttt) Volatile Organic Liquid (VOL); and section 2(zz) by changing ASTM D323-89 to ASTM D323-82, effective November 29, 1994.

(D) An Errata sheet of Regulation 24 with administrative changes to Section 4-4(b) by renumbering section 13 to 10 and section 22 to 23, 4(b)(1)(iii) by renumbering section 13 to 10 and section 22 to 23, 4(c) by renumbering section 22 to 23, 4(d) by renumbering section 22 to 23, 4(e) by renumbering section 13 to 10 and section 22 to 23, 4(e)(2)(iv) by adding the following lines: section 10(e)(1)(iii), section 11(d), section 12(e)(1)(iii), and section 23(e)(1)(iii), 4(e)(x) correcting 50 degrees F to 82 degrees F; Section 8-8(a)(2) by renumbering section 13 to 10; Section 21-21(a)(5) correcting the number 4 to

5; Section 25—25(c)(4)(vi) by changing *calibrated* to *calculated*; Section 29—29(i)(3)(i)(A) by correcting 0.09 to 0.044 in Hg, 29(i)(3)(i)(B) by correcting 0.09 to 0.044 in Hg; Section 30—30(b) by deleting definitions of *liquid mounted seal and vapor mounted seal* that were added in Section 2—Definitions; Section 31—31(b) by deleting definition of *internal floating roof* that was added to Section 2—Definitions, 31(e)(ii) by correcting letter *i* to *ii*; Section 33—33(f)(3) by correcting (c)(3)(j)(B) to (c)(3)(ii)(B), Section 35—35(c)(2)(i) by adding *weight*, 35(c)(3)(i) by adding *by weight*; Section 37—37(a)(1) by deleting *of press ready ink*; Section 43—43(a)(1) by renumbering section 13 to 10 and section 42 to 49; Appendix A—(a) by renumbering section 13(c)(1) or section 14 through 43 to section 19 through 50; Appendix D—(a)(2)(iii)(i) by deleting *to be published*, effective November 29, 1994.

(ii) Additional Material.

(A) Remainder of December 19, 1994 State submittal pertaining to Regulation 24 referenced in paragraphs (c)(54)(i).

[FR Doc. 96-1299 Filed 1-25-96; 8:45 am]

BILLING CODE 6560-50-P

40 CFR Part 52

[IL18-6-6516a; FRL-5334-2]

Approval and Promulgation of Implementation Plans; Illinois

AGENCY: United States Environmental Protection Agency (USEPA).

ACTION: Direct final rule.

SUMMARY: On October 21, 1993, and March 4, 1994, the Illinois Environmental Protection Agency (IEPA) submitted to the USEPA volatile organic compound (VOC) rules that were intended to satisfy part of the requirements of section 182(b)(2) of the Clean Air Act (Act) amendments of 1990. Specifically, these rules provide control requirements for certain major sources not covered by a Control Technique Guideline (CTG) document. These non-CTG VOC rules apply to sources in the Chicago ozone nonattainment area which have the potential to emit 25 tons of VOC per year. These rules provide an environmental benefit due to the imposition of these additional control requirements. IEPA estimates that these rules will result in VOC emission reductions, from 119 industrial plants, of 2.78 tons per day. The rationale for the approval is set forth in this final rule; additional information is available at the address indicated below.

Elsewhere in this Federal Register USEPA is proposing approval and soliciting public comment on this requested revision to the Illinois State implementation plan (SIP). If adverse comments are received on this direct final rule, USEPA will withdraw the final rule and address the comments received in a new final rule. Unless this final rule is withdrawn, no further rulemaking will occur on this requested SIP revision.

DATES: This final rule is effective March 26, 1996 unless adverse comments are received by February 26, 1996. If the effective date is delayed, timely notice will be published in the Federal Register.

ADDRESSES: Written comments can be mailed to: J. Elmer Bortzer, Chief, Regulation Development Section, Regulation Development Branch (AR-18J), Air and Radiation Division, U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

Copies of the SIP revision request are available for inspection at the following address: (It is recommended that you telephone Steven Rosenthal at (312) 886-6052, before visiting the Region 5 office.) U.S. Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: Steven Rosenthal, Regulation Development Branch (AR-18J), (312) 886-6052.

SUPPLEMENTARY INFORMATION:

Background

On June 29, 1990, USEPA promulgated a Federal implementation plan (FIP) for the six counties in the Chicago metropolitan area: Cook, Du Page, Kane, Lake, McHenry, and Will. 55 FR 26818, codified at 40 CFR 52.741. This FIP required that certain VOC sources comply with reasonably available control technology (RACT) requirements.

Under the Act as amended in 1977, ozone nonattainment areas were required to adopt reasonably available control technology (RACT) for sources of VOC emissions. USEPA issued three sets of control technique guidelines (CTGs) documents, establishing a "presumptive norm" for RACT for various categories of VOC sources. The three sets of CTGs were (1) Group I—issued before January 1978 (15 CTGs); (2) Group II—issued in 1978 (9 CTGs); and (3) Group III—issued in the early 1980's (5 CTGs). Those sources not covered by a CTG were called non-CTG sources. USEPA determined that the

area's SIP-approved attainment date established which RACT rules the area needed to adopt and implement. Those areas (including the Chicago area) that sought an extension of the attainment date under section 172(a)(2) to as late as December 31, 1987, were required to adopt RACT for all CTG sources and for all major (100 tons per year or more of VOC emissions under the pre-amended Act) non-CTG sources.

Section 182(b)(2) of the Act as amended in 1990 (amended Act) requires States to adopt reasonably available control technology (RACT) rules for all areas designated nonattainment for ozone and classified as moderate or above. There are three parts to the section 182(b)(2) RACT requirement: (1) RACT for sources covered by an existing CTG—i.e., a CTG issued prior to the enactment of the amended Act of 1990; (2) RACT for sources covered by a post-enactment CTG; and (3) all major sources not covered by a CTG. These section 182(b)(2) RACT requirements are referred to as the RACT "catch-up" requirements.

The amended Act requires USEPA to issue CTGs for 13 source categories by November 15, 1993. A CTG was published by this date for two source categories—Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactors and Distillation; however, the CTGs for the remaining source categories have not been completed. The amended Act requires States to submit rules for sources covered by a post-enactment CTG in accordance with a schedule specified in a CTG document. Accordingly, States must submit a RACT rule for SOCMI reactor processes and distillation operations before March 23, 1994.

The USEPA created a CTG document as Appendix E to the *General Preamble for the Implementation of Title I of the Clean Air Act Amendments of 1990*. (57 FR 18070, 18077, April 28, 1992). In Appendix E, USEPA interpreted the Act to allow a State to submit a non-CTG rule by November 15, 1992, or to defer submittal of a RACT rule for sources that the State anticipated would be covered by a post-enactment CTG, based on the list of CTGs USEPA expected to issue to meet the requirement in section 183. Appendix E states that if USEPA fails to issue a CTG by November 15, 1993 (which it did for 11 source categories), the responsibility shifts to the State to submit a non-CTG RACT rule for those sources by November 15, 1994. In accordance with section 182(b)(2), implementation of that RACT rule should occur by May 31, 1995.