

Act forbids the EPA to base its actions concerning SIPs on such grounds. (*Union Electric Co. v. USEPA*, 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 (Unfunded Mandates Act), signed into law on March 22, 1995, the EPA must assess whether various actions undertaken in association with proposed or final regulations 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.

The EPA's final action will relieve requirements otherwise imposed under the CAA and, hence, does not impose any Federal intergovernmental mandate, as defined in section 101 of the Unfunded Mandates Act. This action also will not impose a 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.

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by April 29, 1996. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purpose 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) of the CAA).

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Conformity, Oxides of nitrogen, Ozone, Transportation conformity.

Dated: February 12, 1996.

Jane N. Saginaw,  
Regional Administrator.

40 CFR part 52 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 T—Louisiana**

3. Section 52.992 is amended by adding paragraph (c) to read as follows:

#### **§ 52.992 Areawide nitrogen oxides (NO<sub>x</sub>) exemptions.**

\* \* \* \* \*

(c) The LDEQ submitted to the EPA on July 25, 1995, a revision to the SIP, pursuant to section 182(b)(1), requesting that the Baton Rouge serious ozone nonattainment area be exempted from the transportation conformity NO<sub>x</sub> requirements of the CAA. The Baton Rouge nonattainment area consists of East Baton Rouge, West Baton Rouge, Pointe Coupee, Livingston, Iberville, and Ascension Parishes. The exemption request was based on photochemical grid modeling which shows that additional reductions in NO<sub>x</sub> would not contribute to attainment in the nonattainment area. On February 12, 1996, the EPA approved the State's request for an areawide exemption from the transportation conformity NO<sub>x</sub> requirements.

[FR Doc. 96-4289 Filed 2-26-96; 8:45 am]

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#### **40 CFR Part 52**

[MI28-02-7224; FRL-5324-4]

#### **Approval and Promulgation of Implementation Plan; Michigan**

**AGENCY:** Environmental Protection Agency (USEPA).

**ACTION:** Final rule; correction.

**SUMMARY:** On July 26, 1994 the USEPA published a final rule approving Michigan's 1990 base year ozone emission inventory for the Grand Rapids and Muskegon nonattainment areas submitted as a revision to the Michigan state implementation plan (58 FR 37944). The supplementary information to the final rule included errors on the totals of volatile organic compounds (VOC) emissions. The intent of this document is to provide the correct VOC emission totals.

Specifically, on page 37946 of the final rule, the table "Daily VOC Emissions From All Sources" incorrectly lists the total VOC emissions in tons per summer weekday (tpd) for the Grand Rapids and Muskegon as 199.29 and 58.53, respectively. The correct total VOC emissions are 203.29 tpd for Grand Rapids, and 59.38 tpd for Muskegon.

**EFFECTIVE DATE:** This correction is effective February 27, 1996.

**FOR FURTHER INFORMATION CONTACT:** Charles C. Hatten, Environmental Engineer, Regulation Development Section, Air and Radiation Branch (AT-18J), U.S. Environmental Protection Agency, Region 5, Chicago, Illinois 60604, (312) 886-6031.

#### List of Subjects in 40 CFR Part 52

Environmental protection, Ozone, Volatile organic compounds.

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

Dated: October 10, 1995.

Valdas V. Adamkus,

Regional Administrator.

[FR Doc. 96-4394 Filed 2-26-96; 8:45 am]

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#### **40 CFR Part 799**

[OPPTS-421111; FRL-4988-9]

RIN 2070-AB94

#### **Withdrawal of Certain Testing Requirements for Office of Water Chemicals**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** EPA is amending the final test rule for the Office of Water Chemicals in 40 CFR 799.5075 by rescinding the 90-day and 14-day testing requirements for chloroethane. The testing requirements are being rescinded because the Agency has received data adequate to meet the data needs for which the test rule was promulgated.

**DATES:** This amendment shall become effective on February 27, 1996. In accordance with 40 CFR 23.5, this rule shall be promulgated for purposes of judicial review at 1 p.m. eastern (daylight or standard as appropriate) time on February 27, 1996.

**FOR FURTHER INFORMATION CONTACT:** Susan B. Hazen, Director, Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, 401 M St., SW., Washington, DC 20460, (202) 554-1404, TDD (202) 554-0551; e-mail: TSCA-Hotline@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** EPA is amending the final test rule for the Office of Water Chemicals in 40 CFR 799.5075 by rescinding: (1) The 90-day subchronic testing requirement for chloroethane, and (2) the 14-day testing requirement for chloroethane.

#### **I. Background**

In the Federal Register of September 21, 1995 (60 FR 48948) (FRL-4972-3), EPA proposed rescinding the 90-day subchronic testing requirement for chloroethane and the 14-day testing requirement for chloroethane. EPA promulgated the rule (FRL-4047-2) establishing these testing requirements pursuant to TSCA section 4(a), and published the final rule in the Federal