

(Authority: 38 U.S.C. 3015(d), (f), (g))

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[DE26-1-6940; FRL-5503-6]

Approval and Promulgation of Air Quality Implementation Plans; Delaware: Amendment of Final Rule Pertaining to Regulation 24—Control of Volatile Organic Compound Emissions, Section 47—Offset Lithographic Printing; Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Correction to Amendment of direct final rule.

SUMMARY: This document contains corrections to an amendment of a direct final rule, which was published on Tuesday, March 26, 1996 (61 FR 13101) (96-7063). This amendment pertains to Delaware Regulation 24, Control of Volatile Organic Compound Emissions, section 47, Offset Lithographic Printing.

EFFECTIVE DATE: March 26, 1996.

FOR FURTHER INFORMATION CONTACT: Rose Quinto, (215) 597-3164.

SUPPLEMENTARY INFORMATION:

Background

On January 26, 1996, EPA published a Direct Final Rule approving a State Implementation Plan (SIP) revision submitted by Delaware (61 FR 2419) 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). Because EPA received adverse comments on section 47, Offset Lithographic Printing, EPA published an amendment of the direct final rule on March 26, 1996 (61 FR 13101), withdrawing section 47 only.

Need for Correction

As published, the amendment of the direct final rule contains errors which may prove to be misleading and are in need of clarification.

Correction of Publication

Accordingly, at 61 FR 13101, Mar. 26, 1996 the publication of the amendment, is corrected to read as follows: The heading “§ 54.420 [Amended]” is corrected to read “§ 52.420 [Amended]”. In amendatory instruction 2 the reference to “§ 54.420(c)(54)(i)(B)” is corrected to read “§ 52.420(c)(54)(i)(B)”.

Dated: May 1, 1996.
 W. Michael McCabe,
Regional Administrator, Region III.
 [FR Doc. 96-11855 Filed 5-13-96; 8:45 am]
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40 CFR Parts 52 and 81

[CT23-1-7084; FRL-5443-5]

Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; State of Connecticut

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is responding to an adverse comment concerning EPA’s proposal to redesignate Hartford, Connecticut as attainment for carbon monoxide. EPA is not changing its action to redesignate the area as attainment that took effect on January 2, 1996. EPA is also correcting an incorrect entry in the attainment status tables associated with this action.

EFFECTIVE DATE: January 2, 1996.

FOR FURTHER INFORMATION CONTACT: Wing H. Chau, Air Quality Planning Unit, Office of Ecosystem Protection, United States Environmental Protection Agency, Region I, Boston, Massachusetts 02203, (617) 565-3570.

SUPPLEMENTARY INFORMATION: On October 31, 1995, EPA published a direct final rule (60 FR 55316) which announced that this rule would take effect in 60 days, or January 2, 1996, unless EPA received adverse comment on the rule within 30 days in response to a notice of proposed rulemaking published on the same day (60 FR 55354). EPA also committed to withdraw the direct final rule in the event it received adverse comment, and to respond to any adverse comments in a subsequent final rulemaking action. EPA did receive a timely adverse comment on this rule. EPA failed, however, to withdraw the final rule within the 60 days given in the direct final rule, and the rule took effect on January 2, 1996.

In this notice, EPA is responding to the comment it received, but for the

reasons stated below, EPA is not changing the final rule in response to that comment. Had EPA withdrawn the direct final rule prior to its going into effect, EPA would have taken final action based on the proposal to promulgate a rule identical to the direct final rule that went into effect. Rather than now take the action of withdrawing the direct final rule only to repromulgate simultaneously an identical rule, however, EPA in this action is deciding to maintain the rule unchanged. EPA believes that withdrawal and repromulgation are unnecessary since the results would be identical to that obtained simply by leaving the rule unchanged and responding to the comments in this notice. This notice provides interested parties an opportunity to review how EPA addressed the comment and to petition for judicial review of EPA’s action in this final rulemaking within 60 days of publication of this notice, as provided in section 307(b)(1) of the Act.

Also, in the October 31, 1995 direct final rulemaking, the revised Code of Federal Regulations (CFR) § 81.307 designation table for carbon monoxide identified a number of towns in the Litchfield, Middlesex, and Tolland Counties as “Nonattainment * * * Moderate ≤12.7 ppm”. The table should have shown these areas as attainment areas for CO. The revised § 81.307 designation table associated with this final rulemaking reflects the appropriate attainment status of the towns mentioned above. The USEPA regrets any inconvenience these errors may have caused.

I. Summary of Action and Responses to Comments

EPA did receive one comment from the New York Mercantile Exchange (NYMEX), dated November 29, 1995. NYMEX is the world’s largest exchange of energy futures, and NYMEX is concerned that the redesignation of the Hartford area might affect gasoline formulation requirements and disrupt futures contracts entered into based on gasoline formulation requirements in effect prior to the redesignation. The comment questioned whether EPA had offered interested persons any meaningful opportunity to comment on this proposal, and asserted that EPA should have provided “far more than the limited period of notice afforded in these redesignation approvals” to avoid disruption in the petroleum industry and energy futures markets when changing environmental requirements.

As a legal matter, this SIP action is subject to the procedures of the Administrative Procedures Act (“APA”)