the Federal Register on November 29 and December 1, 1995 (60 FR 61424 [Equity in Athletics Disclosure Act], 61776 [Student Right-to-Know Act]). Compliance with information collection requirements in certain sections of these regulations was delayed until those requirements were approved by OMB under the Paperwork Reduction Act of 1995. OMB approved the information collection requirements in the regulations on March 14, 1996 for the graduation rate portion of the Student Right-to-Know Act and Campus Security Act, and March 29, 1996 for the Equity in Athletics Disclosure Act. The information collection requirements in these regulations will therefore become effective with all of the other provisions of the regulations on July 1, 1996.

Waiver of Proposed Rulemaking

It is the practice of the Secretary to offer interested parties the opportunity to comment on proposed regulations. However, the publication of OMB control numbers is purely technical and does not establish substantive policy. Therefore, the Secretary has determined under 5 U.S.C. 553(b)(B), that public comment on the regulations is unnecessary and contrary to the public interest.

List of Subjects in 34 CFR Part 668

Administrative practice and procedure, Colleges and universities, Consumer protection, Education, Reporting and recordkeeping requirements, Student aid, Vocational education.

Dated: June 6, 1996.

David A. Longanecker,

Assistant Secretary for Postsecondary Education.

The Secretary amends Part 668 of Title 34 of the Code of Federal Regulations as follows:

PART 668—STUDENT ASSISTANCE GENERAL PROVISIONS

1. The authority citation for Part 668 continues to read as follows:

Authority: 20 U.S.C. 1085, 1088, 1091, 1092, 1094, 1099c, and 1141 unless otherwise noted.

§§ 668.41, 668.48 [Amended]

2. Sections 668.41 and 668.48 are amended by republishing the OMB control number following the section to read as follows: ''(Approved by the Office of Management and Budget under control number 1840–0711)''

§§ 668.41, 668.46, 668.49 [Amended]

3. Sections 668.41, 668.46, and 668.49 are amended by adding the OMB control number following each section to read as follows: ''(Approved by the Office of Management and Budget under control number 1840–0719)''

[FR Doc. 96–14819 Filed 6–12–96; 8:45 am]

BILLING CODE 4000–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[IN59–1–7217a; FRL–5510–7]

Approval and Promulgation of Implementation Plans; Indiana

AGENCY: Environmental Protection Agency.

ACTION: Direct final rule.

SUMMARY: On August 29, 1995, the State of Indiana submitted a State Implementation Plan (SIP) revision request to the United States Environmental Protection Agency (EPA) for rule changes specific to Allison Engine Company (Allison) plants 5 and 8 located in Marion County, Indiana. The submittal provides for an annual particulate matter ''bubble'' limit (a single limit which applies to the combined emissions from more than one source) for several boilers, and the shutdown of two other boilers. Short term particulate matter emission limits for all remaining stacks remain unchanged. This submittal represents a reduction in allowable particulate emissions of 67.7 tons per year, and the State has submitted a modeling analysis which shows that the revised rules will not have an adverse effect on air quality.

DATES: The ''direct final'' is effective on August 12, 1996, unless EPA receives adverse or critical comments by July 15, 1996. If the effective date is delayed, timely notice will be published in the Federal Register.

ADDRESSES: Copies of the revision request are available for inspection at the following address: U.S. Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. (It is recommended that you telephone David Pohlman at (312) 886–3299 before visiting the Region 5 Office.)

Written comments should be sent to: J. Elmer Bortzer, Chief, Regulation Development Section, Air Programs Branch (AR–18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: David Pohlman at (312) 886–3299.

SUPPLEMENTARY INFORMATION:

I. Background

Indiana's submittal of August 29, 1995, contains revisions to Title 326 Indiana Administrative Code (326 IAC) 6–1–12. The purpose of these changes is to provide a combined annual emission limit for several boilers at Allison, and to set an emission limit of zero tons per year for 2 boilers which have shut down.

The proposed rules were published in the Indiana Register on March 1, 1995. Public hearings were held on the rules on January 11, 1995, and April 5, 1995, in Indianapolis, Indiana. The rules were adopted by the Indiana Air Pollution Control Board on April 5, 1995; were published in the Indiana Register on November 1, 1995, and, became effective on November 3, 1995.

II. Analysis of State Submittal

The rule revisions in the August 29, 1995, submittal provide for new particulate matter (measured as total suspended particulate) limits for three stacks at Allison's plants 5 and 8. Previously, the stack serving boilers 1–4 (plant 5) had a limit of 173.0 tons per year (tpy), the stack serving boiler 2 (plant 8) had a limit of 3.2 tpy, the stack serving boilers 3–6 (plant 8) had a limit of 9.3 tpy, and the stack serving boilers 7–11 (plant 8) had a limit of 12.2 tpy. These stacks also had limits of 0.337, 0.15, 0.15, and 0.15 pounds per million British Thermal Units (lb/MMBTU), respectively. The revision provides limits of 0 tons per year for boilers 2 and 11, which have shut down. The hourly mass limits remain unchanged at 0.337 lbs/MMBTU for boilers 1–4 of plant 5, 0.15 lbs/MMBTU for boilers 3–6 of plant 8, and 0.15 lbs/MMBTU for boilers 7–10 of plant 8. The rule provides for a combined limit of 130.0 tons per year for the boilers mentioned above, as well as new limits on the types and amounts of fuel which may be burned at the boilers, and a recordkeeping requirement to document compliance.

One problem which occurs several times in the rule is that, in the emissions limitations table, a list of several sources is followed by a single limit. For example, boilers 1–4 have a limit of .337 lbs/MMBTU. It is not clear from this whether the limit is meant to apply to individual boilers, or a single stack serving several boilers in common. The State has informed EPA that its intention in such cases is that the limit applies to each boiler. Also, the State has agreed to correct this problem, which occurs in a number of Indiana PM rules. The EPA believes that, since there is no more lenient interpretation

than the one intended by the State, the EPA believes this interpretation will not impede the enforceability of the Allison rules.

This SIP revision will result in an overall reduction in allowed particulate matter emissions of 67.7 tpy. The State has submitted a modeling analysis which shows the maximum particulate impact off plant property to be 1.53 micrograms per cubic meter. The allowable impact for this type of bubble (see 51 FR 43814) is 5 micrograms per cubic meter. Therefore, the EPA concludes that the new regulations will protect air quality in Marion County, Indiana.

III. Final Rulemaking Action

Indiana's submittal includes revisions to 326 IAC 6–1–12. The EPA has completed an analysis of this SIP revision request based on a review of the materials presented by Indiana and has determined that it is approvable because it will result in a decrease in allowable particulate matter emissions and will protect the air quality in the Marion County area.

The EPA is publishing this action without prior proposal because EPA views this action as a noncontroversial revision and anticipates no adverse comments. However, EPA is publishing a separate document in this Federal Register publication, which constitutes a ''proposed approval'' of the requested SIP revision and clarifies that the rulemaking will not be deemed final if timely adverse or critical comments are filed. The ''direct final'' approval shall be effective on August 12, 1996, unless EPA receives adverse or critical comments by July 15, 1996. If EPA receives comments adverse to or critical of the approval discussed above, EPA will withdraw this approval before its effective date by publishing a subsequent Federal Register document which withdraws this final action. All public comments received will then be addressed in subsequent rulemaking. Please be aware that EPA will institute another comment period on this action only if warranted by significant revisions to the rulemaking based on any comments received in response to today's action. Any parties interested in commenting on this action should do so at this time. If no such comments are received, EPA hereby advises the public that this action will be effective on August 12, 1996.

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 9, 1995, memorandum from Mary D. Nichols, Assistant Administrator for Air and Radiation. The Office of Management and Budget has exempted this regulatory action from Executive Order 12866 review.

Nothing in this action should be construed as permitting, allowing or establishing a precedent for any future request for revision to any SIP. EPA shall consider each request for revision to the SIP in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

Section 202 of the Unfunded Mandates Reform Act of 1995 (''Unfunded Mandates Act'') (signed into law on March 22, 1995) requires that the EPA prepare a budgetary impact statement before promulgating a rule that includes a Federal mandate that may result in expenditure by State, local, and tribal governments, in aggregate, or by the private sector, of $100 million or more in any one year. Section 203 requires the EPA to establish a plan for obtaining input from and informing, educating, and advising any small governments that may be significantly or uniquely affected by the rule.

Under section 205 of the Unfunded Mandates Act, the EPA must identify and consider a reasonable number of regulatory alternatives before promulgating a rule for which a budgetary impact statement must be prepared. The EPA must select from those alternatives the least costly, most cost-effective, or least burdensome alternative that achieves the objectives of the rule, unless the EPA explains why this alternative is not selected or the selection of this alternative is inconsistent with law.

Because this final rule is estimated to result in the expenditure by State, local, and tribal governments or the private sector of less then $100 million in any one year, the EPA has not prepared a budgetary impact statement or specifically addressed the selection of the least costly, most cost-effective, or least burdensome alternative. Because small governments will not be significantly or uniquely affected by this rule, the EPA is not required to develop a plan with regard to small governments. This rule only approves the incorporation of existing State rules into the SIP. It imposes no additional 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 Clean Air Act 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 Act, preparation of a regulatory flexibility analysis would constitute Federal inquiry into the economic reasonableness of the State action. The Clean Air Act forbids EPA to base its actions concerning SIPs on such grounds. *Union Electric Co.* v. *EPA.*, 427 U.S. 246, 256–66 (S.Ct. 1976); 42 U.S.C. 7410(a)(2).

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 August 12, 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, Incorporation by reference, Particulate matter.

Dated: May 15, 1996.

Valdas V. Adamkus,

Regional Administrator.

For the reasons stated in the preamble, 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 P—Indiana

2. Section 52.770 is amended by adding paragraph (c)(108) to read as follows:

§ 52.770 Identification of plan.

* * * * *

(c) * * *

(108) On August 29, 1995, Indiana submitted a site specific SIP revision request for Allison Engine Company in Marion County, Indiana. The revision provides limits of 0 tons per year for boilers 2 and 11, which have shut down. The hourly mass limits remain unchanged at 0.337 pounds per million British Thermal Units (lbs/MMBTU) for boilers 1–4 of plant 5, 0.15 lbs/MMBTU for boilers 3–6 of plant 8, and 0.15 lbs/MMBTU for boilers 7–10 of plant 8. The rule provides for a combined limit of 130.0 tons per year for the boilers mentioned above, as well as new limits on the types and amounts of fuel which may be burned at the boilers, and a recordkeeping requirement to document compliance.

(i) Incorporation by reference. Indiana Administrative Code Title 326: Air Pollution Control Board, Article 6: Particulate Rules, Rule 1: Nonattainment Area Limitations, Section 12: Marion County. Added at 19 In. Reg. 186. Effective November 3, 1995.

[FR Doc. 96–14961 Filed 6–12–96; 8:45 am]

BILLING CODE 6560–50–P

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40 CFR Part 52

[VA010–5545a; FRL–5514–6]

Approval and Promulgation of Air Quality Implementation Plans; Virginia; Approval of Alternative Compliance Plans for the Reynolds Metals Graphic Arts Plants

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct Final rule.

SUMMARY: EPA is approving a State Implementation Plan (SIP) revision submitted by the Commonwealth of Virginia. This revision establishes and requires four packaging rotogravure printing presses at the Reynolds Metals—Bellwood plant, located in Richmond, Virginia and six packaging rotogravure printing presses at the Reynolds Metals—South plant also located in Richmond, Virginia to meet emission limits by averaging emissions, on a daily basis, within each of the two plants. The intended effect of this action is to approve two graphic arts alternative compliance plans; one for the Reynolds Metals—Bellwood plant and one for the Reynolds Metals—South plant (also known as the Foil plant). This action is being taken under Section 110 of the Clean Air Act.

DATES: This final rule is effective July 29, 1996 unless within July 15, 1996, adverse or critical comments are received. 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 Virginia Department of Environmental Quality, 629 East Main Street, Richmond, Virginia 23219.

FOR FURTHER INFORMATION CONTACT: Marcia L. Spink, (215) 566–2104. email address: spink.marcia@epamail.epa.gov

SUPPLEMENTARY INFORMATION: On November 4, 1986, the Virginia State Air Pollution Control Board (now known as the Virginia Department of air Pollution Control) submitted alternative compliance plans as a revision to its State Implementation Plan (SIP) for the Reynolds Metals—Bellwood plant and the Reynolds Metals—South plant, both located in Richmond, Virginia. Both of these facilities are subject to the federally approved Virginia graphic arts regulation, Section 4.55(m) [currently cited as Rule 4–36, Sections 120–04–3601 through 120–04–3615]. The alternative compliance plans allow each of these facilities to average emissions, on a daily basis, in order to meet the applicable packaging rotogravure standard in Virginia Rule 4–36.

The applicable Virginia SIP graphic arts regulation requires that packaging rotogravure sources reduce emissions by 65% by weight of volatile organic compound (VOC) emissions on a line-by-line basis. The Virginia SIP further requires that compliance be based on daily averages.

Description of the Alternative Compliance Plan for the Bellwood Plant

The printing presses participating in this alternative compliance plan are:

(1) Presses No. 1, 2, 4, 6, 8, 9, 10, 11
(2) Extrudes No. 1, 2, 3, 4
(3) Treating Station for Press #3
(4) Laminator No. 1 (by incineration)

Included in the description of the Bellwood alternative compliance plan is a reasonably available control technology determination (RACT) determination for Laminator No. 3. Reynolds states that this operation is not a packaging rotogravure operation because of certain unique features. If, in fact, this source is not a packaging rotogravure operation, it would be considered a non-CTG source (i.e a source for which EPA has not issued a Control Technique Guideline). The 1990 Clean Air Act Amendments require that major sources in ozone nonattainment areas be subject to RACT. Richmond, where Reynolds is located, is a moderate ozone nonattainment area. Virginia's plan limits the total emissions from this operation to 2 tons per day, in lieu of any other limit. EPA is proposing to approve the 2 ton per day emission cap as RACT for Laminator No. 3.

Description of the Alternative Compliance Plan for the South (Foil) Plant

The printing presses participating in this alternative compliance plan are:

(1) Cigarette Machines Nos. 1, 2, 3, 4
(2) Coloring Machines No. 7
(3) Glue Mounter Nos. 1, 23
(4) Reseal Machines Nos. 2, 3, 4, 5
(5) Coloring Machines Nos. 1, 2, 6 (unless exhausted to incinerator)
(6) In-line Machine No. 24 (unless exhausted to incinerator)

The alternative compliance plan is configured such that if the equipment in items (5) and/or (6) above are exhausted to an incinerator, they will not participate in the plan.

SIP Submittal

The November 4, 1986 SIP submittal package from Virginia consisted of the following documents:

(1) Cover letter dated 11/4/86 from Richard Cook, VA to James Seif, EPA Region III.

(2) Consent Order for South-Foil plant, DSE 412A–86 amended 10/86 dated 10/30/86.

(3) Consent Order for Bellwood plant, DSE 413A–86 amended 10/86 dated 10/30/86.

(4) Public hearing certification for 9/30/85 public hearing.

(5) Letter to Ray Cunningham, EPA Region III, from Virginia submitting the SAPCB meeting agenda.

(6) Letter dated 11/4/86 from John Daniel, VA to David Arnold, EPA Region III.

The Consent Orders for South and for Bellwood each require that 65% emission reduction be achieved at the plant over the historical amount of solvent used to apply the same amount of solids. On December 5, 1986, EPA