

of polyester bases and are processed in accordance with industry standards as specified in ANSI/ISO 543-1990 (ANSI IT9.6-1991) Photography—Photographic Films—Specifications for Safety Film; and, ANSI/NAPM IT9.1-1992 Imaging Media (Film)—Silver-Gelatin Type—Specifications for Stability, which are incorporated by reference. (Currently, not all motion picture stocks are available on a polyester base.) It is particularly important to ensure that residual sodium thiosulfate (hypo) on newly processed black-and-white photographic film does not exceed .014 grams per square meter. Require laboratories to process film in accordance with this standard. Excessive hypo will shorten the longevity of film and accelerate color fading. Process color film in accordance with the manufacturer's recommendations. If using reversal type processing, request full photographic reversal; i.e., develop, bleach, expose, develop, fix, and wash. The standards cited in this paragraph are available from the American National Standards Institute (ANSI), Inc., 11 West 42nd Street, New York, NY 10036. These standards are also available for inspection at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, D.C. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. These materials are incorporated by reference as they exist on the date of approval and a notice of any change in these materials be published in the Federal Register.

(b) Refrain from using motion pictures in a final "A & B" format (two precisely matched reels designed to be printed together) for the reproduction of excerpts or stock footage.

(c) Use only industrial or professional recording equipment and videotape, previously unrecorded, for original copies of permanent or unscheduled recordings. Limit the use of consumer formats to distribution or reference copies or to subjects scheduled for disposal. Video cassettes in the VHS format are unsuitable for use as originals of permanent or unscheduled records due to their inability to be copied without significant loss in image quality.

(d) Record permanent or unscheduled audio recordings on 1/4-inch open-reel tapes at 3 3/4 or 7 1/2 inches per second, full track, using professional unrecorded polyester splice-free tape stock. Audio cassettes, including mini-cassettes, are not sufficiently durable for use as originals in permanent records or

unscheduled records although they may be used as reference copies.

#### **§ 1232.32 Disposition.**

The disposition of audiovisual records shall be carried out in the same manner as that prescribed for other types of records in part 1228 of this chapter. For further instructions on the transfer of permanent audiovisual records to the National Archives see § 1228.184 of this chapter, Audiovisual Records.

Dated: June 14, 1996.  
John W. Carlin,  
Archivist of the United States.  
[FR Doc. 96-15797 Filed 6-21-96; 8:45 am]  
BILLING CODE 7515-01-P

## **ENVIRONMENTAL PROTECTION AGENCY**

### **40 CFR Parts 51 and 52**

[FRL-5526-2]

#### **Control of Air Pollution; Removal and Modification of Obsolete, Superfluous or Burdensome Rules**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Correction to final regulations.

**SUMMARY:** This document contains corrections to Clean Air Act final regulations, which were published April 11, 1996 (61 FR 16050). The regulations related to the removal and modification of obsolete, superfluous or burdensome Clean Air Act rules.

**EFFECTIVE DATE:** This action will be effective June 24, 1996.

**FOR FURTHER INFORMATION CONTACT:** Maureen Delaney, Office of Air and Radiation, Office of Policy Analysis and Review, (202) 260-7431.

**SUPPLEMENTARY INFORMATION:**  
Background

On April 11, 1996, EPA published a final rule under the Clean Air Act deleting superfluous, obsolete or burdensome regulations from the Code of Federal Regulations (CFR).

#### **Need for Correction**

As published, the final regulations contain errors which may prove to be misleading and are in need of clarification.

#### **Correction of Publication**

Accordingly, the publication on April 11, 1996 of the final regulations (61 FR 16050), which were the subject of FR Doc. 96-8744, is corrected as follows:

On page 16061, in the third column, the heading for amendment number 38 is corrected to read "[§ 52.1227—[removed and reserved]]."

On page 16062, in the third column, amendment number 67 is corrected to read "67. Section 52.2296 through 52.2298 are removed and reserved."

#### **List of Subjects in 40 CFR Part 51**

Environmental Protection, Air pollution control

Dated: June 17, 1996.

Richard D. Wilson,  
Acting Assistant Administrator, Office of Air and Radiation.

[FR Doc. 96-16021 Filed 6-21-96; 8:45 am]  
BILLING CODE 6560-50-P

## **40 CFR Part 52**

[NM-23-1-7101a; FRL-5500-7]

#### **Approval and Promulgation of Air Quality Implementation Plans; New Mexico; Supplement to the New Mexico State Implementation Plan (SIP) to Control Air Pollution in Areas of Bernalillo County Designated Nonattainment**

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

**ACTION:** Direct final rule.

**SUMMARY:** This action approves a revision to the SIP consisting of the "October 12, 1994, Supplement to the New Mexico State Implementation Plan to Control Air Pollution in Area(s) of Bernalillo County Designated Nonattainment". This revision updates the narrative portion of the previously approved April 14, 1993, Supplement to the New Mexico SIP to Control Air Pollution in Areas of Bernalillo County Designated Nonattainment (see the December 21, 1993 Federal Register to reflect EPA's approval for lifting the construction ban in Bernalillo County. The construction ban was put in place by the Governor of New Mexico on May 20, 1980. The ban was repealed by EPA approval effective May 16, 1994, and appearing in the March 16, 1994 Federal Register.

**DATES:** This action is effective on August 23, 1996, unless notice is postmarked by July 24, 1996 that someone wishes to submit adverse or critical comments. If the effective date is delayed, timely notice will be published in the Federal Register.

**ADDRESSES:** Comments should be mailed to Jole C. Luehrs, Chief, Air Permits Section (6PD-R), U.S. EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733. Copies of the State's

petition and other information relevant to this action are available for inspection during normal hours at the following locations:

U.S. EPA, Region 6, Air Permits Section (6PD-R), 1445 Ross Avenue, Suite 700, Dallas, TX 75202-2733.

Air and Radiation Docket and Information Center, U.S. EPA, 401 M Street, SW., Washington, DC 20460.  
City of Albuquerque, Environmental Health Department, One Civic Plaza, Albuquerque, NM 87103.

Anyone wishing to review this petition at the Region 6 EPA office is asked to contact the person below to schedule an appointment 24 hours in advance.

**FOR FURTHER INFORMATION CONTACT:** Mr. Samuel R. Mitz, Air Permits Section (6PD-R), U.S. EPA, Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733, telephone (214) 665-8370.

**SUPPLEMENTARY INFORMATION:**

**Background**

On December 21, 1993, EPA approved an Albuquerque/Bernalillo County permit SIP revision which included the April 14, 1993, *Supplement to the New Mexico SIP to Control Air Pollution in Area(s) of Bernalillo County Designated Nonattainment* (58 FR 67326). This Supplement included a paragraph which stated that upon approval of Albuquerque/Bernalillo County Air Quality Control Regulations (AQCR) 20 (*Authority-to-Construct Permits*), 29 (*Prevention of Significant Deterioration*) and 32 (*Construction Permits for Nonattainment Areas*) and the accompanying SIP supplements, there would be no need to continue the Governor's construction moratorium of May 20, 1980, which appeared in 40 Code of Federal Regulations (CFR) 52.1620(e)(18).

On December 21, 1993, EPA approved revised AQCRs 29 and 32. On March 16, 1994, EPA approved AQCR 20, which brought the Albuquerque/Bernalillo County New Source Review permitting program up to date and provided for the revocation of the construction ban for Albuquerque County. In response, on October 12, 1994, the State of New Mexico adopted a revised *Supplement to the New Mexico State Implementation Plan to Control Air Pollution in Area(s) of Bernalillo County Designated Nonattainment*, which noted the repeal of the construction moratorium.

**Final Action**

The EPA is approving the revised New Mexico SIP narrative entitled *October 12, 1994 Supplement to the*

*New Mexico State Implementation Plan to Control Air Pollution in Area(s) of Bernalillo County Designated Nonattainment*, which acknowledges the repeal of the construction moratorium of May 20, 1980.

The EPA is publishing this action without prior proposal because EPA 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 unless adverse or critical comments be filed. This action will be effective August 23, 1996, unless adverse or critical comments are postmarked by July 24, 1996. If EPA receives such comments, this action will be withdrawn before the effective date by publishing a subsequent document 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. The 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 on this action, the public is advised that this action will be effective August 23, 1996.

**Regulatory Process**

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, under 5 U.S.C. 605(b), EPA may certify that the rule will not have a significant impact on a substantial number of small entities (see 46 FR 8709). Small entities include small businesses, small not-for-profit enterprises, and governmental 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 (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, I certify that it does not have a significant impact on small entities. Moreover, due to the nature of the Federal-State relationship under the CAA, preparation of a regulatory flexibility analysis would constitute Federal inquiry into the economic reasonableness of State action. The CAA forbids EPA from basing its actions concerning SIPs on such grounds. *Union Electric Co. v. U.S. E.P.A.*, 427 U.S. 246, 256-66 (S.Ct. 1976); 42 U.S.C. 7410(a)(2).

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 August 23, 1996. Filing a petition for reconsideration of this final rule by the Administrator does not affect the finality of this rule for purposes of judicial review; nor does it extend the time within which a petition for judicial review may be filed, or postpone the effectiveness of this rule. This action may not be challenged later in proceedings to enforce its requirements (see section 307(b)(2)).

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

**Unfunded Mandates**

Under sections 202, 203, and 205 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, EPA must undertake various actions in association with proposed or final rules that 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.

Through submission of this SIP or plan revision approved in this action, the State and any affected local or tribal governments have elected to adopt the program provided for under section 110 of the CAA. The rules and commitments approved in this action may bind State, local, and tribal governments to perform certain actions and also require the private sector to perform certain duties. To the extent that the rules and commitments being approved by this action will impose or lead to the imposition of any mandate upon the State, local, or tribal governments, either as the owner or operator of a source or as a regulator, or would impose or lead to the imposition of any mandate upon the private sector, EPA's action will impose no new requirements; such sources are already subject to these requirements under State law. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action. Therefore, EPA has determined that this final action does not include a mandate that may result in estimated costs of \$100 million or more to State, local, or tribal governments in the aggregate or to the private sector.

Office of Management and Budget (OMB) review

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 OMB has exempted this regulatory action from Executive Order 12866 review.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Nonattainment areas.

Dated: April 11, 1996.

Lynda F. Carroll,

Acting 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 GG—New Mexico**

2. Section 52.1620 is amended by adding paragraph (c)(61) to read as follows:

**§ 52.1620 Identification of plan.**

\* \* \* \* \*

(c) \* \* \*

(61) A revision to the New Mexico SIP to update the Supplement to the New Mexico State Implementation Plan to Control Air Pollution in Area(s) of Bernalillo County Designated Nonattainment to reflect EPA's approval for lifting the construction ban in Bernalillo County, superseding the supplement dated April 14, 1993.

(i) Incorporation by reference.

(A) October 12, 1994 Supplement to the New Mexico State Implementation Plan to Control Air Pollution in Area(s) of Bernalillo County Designated Nonattainment as approved by the Albuquerque/Bernalillo County Air Quality Control Board on November 9, 1994.

[FR Doc. 96-16023 Filed 6-21-96; 8:45 am]

BILLING CODE 6560-50-P

**40 CFR Part 52**

[CA-19-2-725-a; FRL-5511-4]

**Approval and Promulgation of Implementation Plans; California—Mammoth Lakes Nonattainment Area; PM<sub>10</sub>**

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

**ACTION:** Direct final rule.

**SUMMARY:** EPA today approves the State Implementation Plan (SIP) submitted by the State of California for the purpose of bringing about attainment in the Mammoth Lakes Planning Area (MLPA) of the national ambient air quality standards (NAAQS) for particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers (PM<sub>10</sub>). The "moderate" area SIP was submitted by the State to satisfy certain Federal requirements in the Clean Air Act for an approvable nonattainment area PM<sub>10</sub> plan for the MLPA.

The intended effect of approving this plan is to regulate emissions of PM<sub>10</sub> in accordance with the requirements of the CAA, as amended in 1990.

**DATES:** This final rule is effective on August 23, 1996 unless adverse or critical comments are received by July 24, 1996. If the effective date is delayed, timely notice will be published in the Federal Register.

**ADDRESSES:** Copies of the State's submittal and other information are contained in the docket for this rulemaking. The docket is available for inspection during normal business hours at the following locations:  
U. S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105  
California Air Resources Board, 2020 L Street, P.O. Box 2815, Sacramento, CA 95814

Great Basin Unified Air Pollution Control District, 157 Short Street, Suite 6, Bishop, CA 93514.

**FOR FURTHER INFORMATION CONTACT:** Stephanie G. Valentine (A-2-2), U. S. Environmental Protection Agency, Region 9, Air and Toxics Division, 75 Hawthorne Street, San Francisco, CA 94105, (415) 744-1178.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

On the date of enactment of the 1990 Clean Air Act Amendments, PM<sub>10</sub> areas, including the Mammoth Lakes Planning Area, meeting the conditions of section 107(d) of the Act were designated nonattainment by operation of law. Once an area is designated

nonattainment, section 188 of the Act outlines the process for classification of the area and establishes the area's attainment date. In accordance with section 188(a), at the time of designation, all PM<sub>10</sub> nonattainment areas were initially classified as "moderate" by operation of law. See 40 CFR 81.303 (1993) A moderate area may subsequently be reclassified as "serious" if at any time EPA determines that the area cannot practicably attain the PM<sub>10</sub> NAAQS by the applicable attainment date for moderate areas, December 31, 1994. Moreover, a moderate area must be reclassified if EPA determines within six months after the applicable attainment date that the area is not in attainment after that date. See section 188(b) of the Clean Air Act.

The air quality planning requirements for moderate PM<sub>10</sub> nonattainment areas are set out in subparts 1 and 4 of Title I of the Act. EPA has issued a "General Preamble" describing EPA's preliminary views on how the Agency intends to review SIPs and SIP revisions submitted under Title I of the Act, including those state submittals containing moderate PM<sub>10</sub> nonattainment area SIP provisions. See generally 57 FR 13498 (April 16, 1992) and 57 FR 18070 (April 28, 1992). Because EPA is describing its interpretations here only in broad terms, the reader should refer to the General Preamble for a more detailed discussion of the interpretations of Title I advanced in today's action and the supporting rationale. In today's rulemaking action on California's moderate PM<sub>10</sub> SIP for the MLPA, EPA is applying its interpretations taking into consideration the specific factual issues presented.

Those states containing initial moderate PM<sub>10</sub> nonattainment areas were required to submit, among other things, the following provisions by November 15, 1991<sup>1</sup>:

1. Provisions to assure that reasonably available control measures (RACM) (including such reductions in emissions from existing sources in the area as may be obtained through the adoption, at a minimum, of reasonably available control technology—RACT) shall be implemented no later than December 10, 1993;

2. Either a demonstration (including air quality modeling) that the plan will provide for attainment as expeditiously

<sup>1</sup> There are additional submittals associated with moderate PM<sub>10</sub> nonattainment plans, such as a permit program for the construction of new and modified major stationary sources and contingency measures. See sections 189(a) and 172(c)(9). These submittals were required to be submitted in 1992 and 1993, respectively, and are not the subject of today's action which addresses only those plan provisions required to be submitted on November 15, 1991.