

notice of proposed rulemaking is required for this rule, the Regulatory Flexibility Act, 5 U.S.C. 601-612, does not apply.

#### List of Subjects in 31 CFR Part 515

Administrative practice and procedure, Air carriers, Banks, banking, Cuba, Currency, Estates, Exports, Fines and penalties, Foreign investment in the United States, Foreign trade, Imports, Informational materials, Publications, Reporting and recordkeeping requirements, Securities, Shipping, Specially designated nationals, Travel restrictions, Trusts and trustees, Vessels.

For the reasons set forth in the preamble, 31 CFR part 515 is amended as set forth below:

### PART 515—CUBAN ASSETS CONTROL REGULATIONS

1. The authority citation for part 515 is revised to read as follows:

Authority: 50 U.S.C. App. 144; 22 U.S.C. 6001-6010; 22 U.S.C. 2370(a); Pub. L. 104-114, 106 Stat. 785 (22 U.S.C. 6021-6091); Proc. 3447, 27 FR 1085, 3 CFR, 1959-1963 Comp., p. 157; E.O. 9193, 7 FR 5205, 3 CFR, 1938-1943 Comp., p. 1147; E.O. 9989, 13 FR 4891, 3 CFR, 1943-1948 Comp., p. 748; E.O. 12854, 58 FR 36587, 3 CFR, 1993 Comp., p. 614.

#### Subpart B—Prohibitions

2. Section 515.208 is added to read as follows:

##### § 515.208 Restrictions on loans, credits and other financing.

No United States national, permanent resident alien, or United States agency may knowingly make a loan, extend credit or provide other financing for the purpose of financing transactions involving confiscated property the claim to which is owned by a United States national, except for financing by a United States national owning such a claim for a transaction permitted under United States law.

#### Subpart C—Definitions

3. Section 515.311 is amended by redesignating the existing paragraph as (a) and adding paragraph (b) to read as follows:

##### § 515.311 Property; property interests.

(a) \* \* \*

(b) As used in § 515.208, the term *property* means any property (including patents, copyrights, trademarks, and any other form of intellectual property), whether real, personal, or mixed, and any present, future, or contingent right, security, or other interest therein, including any leasehold interest.

4. Section 515.334 is added to read as follows:

##### § 515.334 United States national.

As used in § 515.208, the term *United States national* means:

(a) Any United States citizen; or  
(b) Any other legal entity which is organized under the laws of the United States, or of any State, the District of Columbia, or any commonwealth, territory, or possession of the United States, and which has its principal place of business in the United States.

5. Section 515.335 is added to read as follows:

##### § 515.335 Permanent resident alien.

As used in § 515.208, the term *permanent resident alien* means an alien lawfully admitted for permanent residence into the United States.

6. Section 515.336 is added to read as follows:

##### § 515.336 Confiscated.

As used in § 515.208, the term *confiscated* refers to:

(a) The nationalization, expropriation, or other seizure by the Cuban Government of ownership or control of property, on or after January 1, 1959:

(1) Without the property having been returned or adequate and effective compensation provided; or

(2) Without the claim to the property having been settled pursuant to an international claims settlement agreement or other mutually accepted settlement procedure; and

(b) The repudiation by the Cuban Government of, the default by the Cuban Government on, or the failure of the Cuban Government to pay, on or after January 1, 1959:

(1) A debt of any enterprise which has been nationalized, expropriated, or otherwise taken by the Cuban Government;

(2) A debt which is a charge on property nationalized, expropriated, or otherwise taken by the Cuban Government; or

(3) A debt which was incurred by the Cuban Government in satisfaction or settlement of a confiscated property claim.

#### Subpart G—Penalties

7. Section 515.701 is amended by removing paragraph (a)(5), redesignating paragraph (a)(6) as (a)(5), and adding paragraph (d) to read as follows:

##### § 515.701 Penalties.

\* \* \* \* \*

(d) Attention is directed to 22 U.S.C. 6033, which provides that a violation of the prohibition against extending a loan,

or other financing for the purpose of financing transactions involving confiscated property, as contained in § 515.208 of this part, shall be punishable by such civil penalties as are applicable to violations of this part.

Dated: July 2, 1996.

R. Richard Newcomb,  
*Director, Office of Foreign Assets Control.*

Approved: July 9, 1996.

James E. Johnson,  
*Assistant Secretary (Enforcement).*

[FR Doc. 96-18255 Filed 7-15-96; 1:09 pm]

BILLING CODE 4810-25-F

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## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### 32 CFR Part 66

[DoD Directive 6040.2]

### Release of Information from Medical Records

AGENCY: Department of Defense.

ACTION: Final rule.

**SUMMARY:** This document removes the Department of Defense's rule concerning release of information from medical records. The part has served the purpose for which it was intended for the Code of Federal Regulations, and is no longer necessary.

**EFFECTIVE DATE:** July 18, 1996.

**FOR FURTHER INFORMATION CONTACT:** Ms. Patricia L. Toppings at 703-697-4111.

**SUPPLEMENTARY INFORMATION:** Send requests for paper copies of DoD Directive 6040.2 to the Directives and Records Branch, Room 2A286, Directives and Records Divisions, Washington Headquarters Services, 1155 Defense Pentagon, Washington, DC 20301-1155.

List of Subjects in 32 CFR Part 66

Defense Department; Freedom of information; Health records.

### PART 66—[REMOVED]

Accordingly, by the authority of 10 U.S.C. 301, 32 CFR part 66 is removed.

Dated: July 11, 1996.

Patricia L. Toppings,  
*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 96-18162 Filed 7-17-96; 8:45 am]

BILLING CODE 5000-04-M

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 52**

[TN-151-7017a; TN-153-7018a; TN-161-9621a; TN-162-9622a; TN-164-9626a; TN-168-9628a; TN-169-9629a; FRL-5533-5]

**Approval and Promulgation of Implementation Plans Tennessee: Approval of Revisions to the Tennessee SIP Regarding Construction Permits and Volatile Organic Compounds**

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

**ACTION:** Direct final rule.

**SUMMARY:** In this document, EPA is acting on revisions to the Tennessee State Implementation Plan (SIP) which were submitted to EPA by Tennessee, through the Tennessee Department of Air Pollution Control (TDAPC), to amend the Tennessee chapters on construction and operating permits and the regulation of volatile organic compounds (VOC). The revisions amending the TDAPC's construction and operating permits chapter were submitted on January 17, 1995; the revisions amending the TDAPC's VOC chapter were submitted on February 21, 1995, February 8, 1996, February 23, 1996, April 22, 1996, and April 25, 1996. The revisions to the construction and operating permit incorporate visibility protection requirements into the construction permits portion of the rule. The revisions to the VOC chapter were made to respond to the deficiencies of the VOC chapter as described in 60 FR 10504 published on February 27, 1995, which acted on the Tennessee VOC Reasonably Available Control Technology (RACT) submittal to meet the 1990 VOC RACT "Catch Up" requirements. In this notice, EPA is making the determination that all conditional approvals necessary for ozone redesignation purposes have been satisfied. In addition to the above revisions, an amendment was submitted on February 23, 1996, which amended the emissions statement in the VOC chapter, and two new chapters were submitted in April 1996, to regulate offset lithographic printing sources and wood furniture finishing and cleaning operations.

**DATES:** This final rule is effective September 16, 1996 unless adverse or critical comments are received by August 19, 1996. If the effective date is delayed, timely notice will be published in the Federal Register.

**ADDRESSES:** Written comments on this action should be addressed to William

Denman at the Environmental Protection Agency, Region 4 Air Programs Branch, 345 Courtland Street, NE, Atlanta, Georgia 30365. Copies of documents relative to this action are available for public inspection during normal business hours at the following locations. The interested persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before the visiting day. Reference files TN151-01-7017, TN153-01-7018, TN161-01-9621, TN162-01-9622, TN164-01-9626, TN168-01-9628, and TN169-01-9629. The Region 4 office may have additional background documents not available at the other locations.

Air and Radiation Docket and Information Center (Air Docket 6102), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460. Environmental Protection Agency, Region 4 Air Programs Branch, 345 Courtland Street, NE, Atlanta, Georgia 30365, William Denman, 404/347-3555 extension 4208.

Tennessee Department of Environment and Conservation, Division of Air Pollution Control, L & C Annex, 9th Floor, 401 Church Street, Nashville, Tennessee 37243-1531, 615/532-0554.

**FOR FURTHER INFORMATION CONTACT:** William Denman 404/347-3555 extension 4208.

**SUPPLEMENTARY INFORMATION:** On January 17, 1995, the Tennessee Department of Air Pollution Control (TDAPC) submitted a request to the EPA to incorporate paragraphs 1200-3-9-.01 (6), (7), and (8) into the Tennessee SIP (reference file TN151-01-7017). The paragraphs revise the chapter as described below.

1200-3-9-.01(6): This paragraph clarifies that construction permits issued under this rule are based on air contaminants only and do not affect the applicant's obligation to obtain necessary permits from other government agencies.

1200-3-9-.01(7): This paragraph requires the applicant to pay the cost of publication of any notices required by law to effectuate the rights applied for.

1200-3-9-.01(8): This paragraph gives the requirements necessary for protecting visibility as it applies to the issuance of a construction permit.

On May 18, 1993, TDAPC submitted to EPA as part of a submittal of revisions to the VOC chapter, a request to add perchloroethylene to the list of exempt compounds in the definition of a VOC contained in 1200-3-18-.01(1). This

definition was conditionally approved on February 27, 1995, based on the commitment by the State of Tennessee to delete it from the list of exempt VOC compounds within one year if EPA had not completed the rulemaking exempting perchloroethylene as a VOC. The rulemaking finalizing the exemption of perchloroethylene as a VOC compound was published by EPA in 61 FR 4588, on February 7, 1996. Therefore, the commitment has been met and perchloroethylene is considered an exempt compound in the VOC definition contained in the Tennessee SIP.

On February 21, 1995, TDAPC submitted to EPA a request to incorporate a new rule (1200-3-18-.33) regulating VOC emissions from the Manufacturing of Synthesized Pharmaceutical Products (reference file TN153-01-7018). This rule applies to all reactors, distillation operations, crystallizers, centrifuges, vacuum dryers, air dryers, production equipment exhaust systems, rotary vacuum filters and other filters, in-process tanks, and leaks associated with the manufacturing of synthesized pharmaceutical products located in the State of Tennessee. This rule does not apply to sources in Hamilton and Shelby counties whose total potential VOC emissions from all the above listed sources are less than 25 tons per year (tpy), nor to sources throughout the State of Tennessee whose total potential VOC emissions are less than 100 tpy except for sources located in the Nashville ozone nonattainment area. The rule applies to all the above listed sources located in the Nashville ozone nonattainment area, regardless of size. The emission standards and the monitoring and record keeping requirements contained in rule 1200-3-18-.33 are consistent with the EPA guidance for RACT. The previous rule 1200-3-18-.33 was given limited approval in 60 FR 10504 on February 27, 1995. The submittal of this rule to replace the previous rule corrects the deficiencies outlined in 60 FR 10504.

On February 8, 1996, TDAPC submitted to EPA revisions to the Tennessee chapter regulating VOCs (1200-3-18) for incorporation into the Tennessee SIP. These submittals address some of the commitments of the conditional approval of Tennessee chapter 1200-3-18 on February 27, 1995 960 FR 10504). EPA is making the determination in this notice, that all conditional approvals necessary for ozone redesignation have been satisfied. In the first submittal dated February 8, 1996, (reference file TN161-01-9621), Tennessee made seventeen revisions to

chapter 1200-3-18. They are described as follows.

1200-3-18-.01(45): A definition for "maximum theoretical emissions" was added to the definitions section. This definition clarifies the quantity of VOC emissions by a source without control devices based on the design capacity or maximum production capacity of the source and 8,760 hours of operation per year.

1200-3-18-.01(49): The term "operation" was defined as an activity.

1200-3-18-.02(2): The word "binding" was deleted from this paragraph for clarification.

1200-3-18-.02(5)(c): The phrase "which is legally enforceable" was deleted from the paragraph for clarification.

1200-3-18-.02(7): The phrase "or in Chapter 21 of this division" was added to this paragraph for clarification.

1200-3-18-.02(8): The phrase "and nitrogen oxide emissions" was added to this paragraph to require sources subject to the emissions statement requirement because of their VOC emissions to also report their nitrogen oxide emissions. This paragraph was granted limited approval in 60 FR 10504 on February 27, 1995, due to this deficiency. This revision corrects the deficiency.

1200-3-18-.02(8): The phrase "the owner or operator" was replaced by the phrase "an official of the company" to require an official of the company to certify the emissions statement. This paragraph was conditionally approved in 60 FR 10504 on February 27, 1995, based on a commitment from Tennessee to revise the paragraph to include this provision. This revision satisfies that commitment.

1200-3-18-.03(2)(b): The phrase "in the alternative, over a longer period" was replaced by the phrase "for an alternative period which has been approved by the Technical Secretary and the EPA" for EPA to retain the approval authority of alternate control plans.

1200-3-18-.03(5)(b)(10): This paragraph was revised to require additional monitoring of catalytic incinerators used in the coating and printing industries to provide a more true representation of the actual performance.

1200-3-18-.04(3)(b)(1)(ii): This paragraph was revised to require additional monitoring of catalytic incinerators used in the non-coating and non-printing industries to provide a more true representation of the actual performance.

1200-3-18-.04(4): This paragraph was revised to more clearly state, "Provisions of this rule apply only to

sources identified as subject to those provisions of this rule by other rules of this chapter".

1200-3-18-.20(1)(b)(2)(vii): This paragraph which exempted usage of 4.0 gallons per day of air drying materials from the miscellaneous metal parts rule was repealed by Tennessee after being disapproved by EPA in 60 FR 10504 on February 27, 1995. Tennessee substituted "reserved" for the language in this paragraph.

1200-3-18-.21(7)(d)(2)(x): This paragraph was revised to require additional monitoring of catalytic incinerators used in the coating of flat wood paneling to provide a more true representation of the actual performance.

1200-3-18-.36(1)(b): This paragraph was revised to more clearly identify the sources applicable to the petroleum solvent dry cleaning rule.

1200-3-18-.38(2)(c)(2): This paragraph was revised to require the use of 10% by weight rather than 20% by weight in determining whether a piece of equipment in VOC service in a synthetic organic chemical, polymer, or resin manufacturing operation is in "light liquid service". This paragraph was given limited approval in 60 FR 10504 on February 27, 1995, based on a commitment by Tennessee to correct the rule. This revision satisfies that commitment.

1200-3-18-.38(4): A provision was added to this rule to require specific testing after a leak is repaired.

1200-3-18-.39(5)(a)(2): A conversion factor was revised for calculating the mass rates of total VOC. The conversion factor was revised to be  $2.95 \times 10^{-9}$ . In a letter to Tennessee on August 12, 1994, EPA derived the conversion factor which correctly is  $2.595 \times 10^{-9}$ . Tennessee incorrectly approved the conversion factor as  $2.95 \times 10^{-9}$  which is more stringent than the correct  $2.595 \times 10^{-9}$ . Therefore, EPA is approving the more stringent conversion factor. This paragraph was conditionally approved in 60 FR 10504 on February 27, 1995. This revision satisfies that commitment.

In the second submittal dated February 8, 1996, (reference file TN162-01-9622), Tennessee requested that EPA add chapter 1200-3-18-.78 "Other Facilities That Emit Volatile Organic Compounds (VOC's) Of Fifty Tons Per Year" to the Tennessee SIP and revise chapter 1200-3-18-.79 "Other Facilities That Emit Volatile Organic Compounds (VOC's)" of the Tennessee SIP. The revisions are described as follows.

1200-3-18-.78: This rule, commonly referred to as a non-CTG (Control Techniques Guideline) RACT rule, is designed to apply to those major sources

which are not subject to the other industry specific VOC RACT rules. Tennessee already has in their SIP a non-CTG RACT rule for sources whose potential VOC emissions are above 100 tons per year (tpy). This rule applies to sources located in the Nashville nonattainment area whose potential VOC emissions are above 50 tpy. This rule, however, contains language that makes it effective only if the Nashville nonattainment area fails to attain the ozone standard by November 15, 1996, and after the Technical Secretary publishes legal notices in the five nonattainment counties of this failure to attain the ozone standard.

1200-3-18-.78 & .79: Miscellaneous revisions were made to the table of contents to allow for revisions to the SIP regarding these two rules.

1200-3-18-.79(1)(c): This paragraph, which exempts certain source categories from the Tennessee non-CTG RACT rule for sources with potential emissions greater than 100 tpy, was amended by Tennessee to delete 13 categories from the list of source categories exempt from this rule.

1200-3-18-.79(1)(d): Tennessee revised this paragraph to delete all the language previously contained in this section and inserted the phrase "reserved". This revision came after EPA disapproved this paragraph in 60 FR 10504 on February 27, 1995.

1200-3-18-.79(1)(e): This new paragraph was added to the rule to specifically identify those sources exempt from the standards and requirements of this rule due to the applicability of other rules.

120-3-18-.79(2): Several clarifying revisions were made to this paragraph to make it read more clearly.

1200-3-18-.79(6): This new paragraph was added to the rule which added monitoring and record keeping requirements for sources which became subject to this rule after the rule effective date.

Another submittal amending chapter 1200-3-18 was made on February 23, 1996 (reference file TN-164-01-9626). This submittal deleted Knox County, previously a marginal ozone nonattainment area which was redesignated to attainment in 58 FR 50271 on September 27, 1993, from the applicability portion of the emissions statement contained in paragraph 1200-3-18-.02(8). Since Knox County submitted their redesignation request prior to the due date for emissions statements and the State has demonstrated that the deletion of this requirement will not adversely affect the maintenance of the ozone standard, this revision is approvable.

On April 22, 1996, the TDAPC submitted to EPA for incorporation into their SIP a new VOC rule (1200-3-18-.43) applicable to offset lithographic printing operations with potential VOC emissions of 25 tpy or more (reference file TN168-01-9628). On April 25, 1996, the TDAPC submitted to EPA for incorporation into their SIP a new VOC rule (1200-3-18-.42) applicable to wood furniture finishing and cleaning operations with potential VOC emissions of 25 tpy or more (reference file TN169-01-9629). These rules are being approved into the SIP because the VOC reductions from these rules are necessary to demonstrate maintenance of the ozone standard. Since Tennessee applied for redesignation prior to the due date for these rules, the rules are not required to meet Reasonably Available Control Technology (RACT) requirements. Should the Middle Tennessee ozone nonattainment area violate the ozone standard prior to being redesignated to attainment, these rules may be required to be made more stringent to meet RACT requirements.

#### Final Action

The EPA is publishing this rulemaking without a prior proposal for approval because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. However, in a separate document in this Federal Register publication, the EPA is proposing to approve the SIP revision should adverse or critical comments be filed. This action will be effective September 16, 1996 unless, by August 19, 1996, adverse or critical comments are received.

If the 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 the separate 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, the public is advised that this action will be effective September 16, 1996.

Under section 307(b)(1) of the Clean Air Act (CAA), 42 U.S.C. 7607(b)(1), petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by September 16, 1996. Filing a petition for reconsideration by the Administrator of this final rule 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, 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, 42 U.S.C. 7607(b)(2).)

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.

Nothing in this action shall be construed as permitting or allowing or establishing a precedent for any future request for a 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. 601 *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, 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 CAA, preparation of a regulatory flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The CAA forbids EPA to base 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. section 7410(a)(2) and 7410(k)(3).

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 state implementation plan or plan revision, the State and any affected local or tribal governments have elected to adopt the program provided for under Section 182 of the CAA. These rules may bind State, local and tribal governments to perform certain actions and also require the private sector to perform certain duties. EPA has examined whether the rules being approved by this action will impose any new requirements. Since such sources are already subject to these regulations under State law, no new requirements are imposed by this approval. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action, and therefore there will be no significant impact on a substantial number of small entities.

Submission to Congress and the General Accounting Office

Under section 801(a)(1)(A) of the Administrative Procedure Act (APA) as amended by the Small Business Regulatory Enforcement Fairness Act of 1996, EPA submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives and the Comptroller General of the General Accounting Office prior to publication of this rule in today's Federal Register. This rule is not a "major rule" as defined by section 804(2) of the APA as amended.

List of Subjects in 40 CFR Part 52

Air pollution control, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements.

Dated: June 24, 1996.

A. Stanley Meiburg,

*Acting Regional Administrator.*

Part 52 of chapter I, title 40, 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 RR—Tennessee**

2. Section 52.2219 is revised to read as follows:

**§ 52.2219 Identification of plan—conditional approval.**

EPA is conditionally approving the following revisions to the Tennessee SIP contingent on the State of Tennessee meeting the schedule to correct deficiencies associated with the following rules which was committed to in letters dated October 7, 1994, and December 16, 1994, from the State of Tennessee to EPA Region 4.

(a) Rule 1200-3-18-.06 Handling, Storage and Disposal of Volatile Organic Compounds (VOC's): Paragraph (1) effective April 22, 1993.

(b) Rule 1200-3-18-.86 Performance Specifications for Continuous Emission Monitoring of Total Hydrocarbons: Subparagraph (11)(c) effective April 22, 1993.

3. Section 52.2220 is amended by adding paragraph (c)(138) to read as follows:

**§ 52.2220 Identification of plan.**

\* \* \* \* \*

(c) \* \* \*

(138) Revisions to chapter 1200-3-9 "Construction and Operating Permits" were submitted by the Tennessee Department of Air Pollution Control (TDAPC) to EPA on January 17, 1995. Revisions to chapter 1200-3-18 "Volatile Organic Compounds" were submitted by the TDAPC to EPA on February 21, 1995, February 8, 1996, February 23, 1996, April 22, 1996, and April 25, 1996.

(i) Incorporation by reference.

(A) Revisions to the State of Tennessee regulation 1200-3-9 "Construction and Operating Permits", subparagraphs 1200-3-9-.01 (6), (7), (8), effective on August 15, 1994.

(B) Revisions to the State of Tennessee regulation by the addition of a new rule 1200-3-18-.33

"Manufacturing of Synthesized Pharmaceutical Products", effective on November 21, 1993.

(C) Revisions to the State of Tennessee regulation 1200-3-18 "Volatile Organic Compounds" rules 1200-3-18-.01, 1200-3-18-.02, 1200-3-18-.03, 1200-3-18-.04, 1200-3-18-.20, 1200-3-18-.21, 1200-3-18-.36, 1200-3-18-.38, 1200-3-18-.39 effective on October 9, 1995.

(D) Revisions to the State of Tennessee regulations effective October 25, 1995.

(J) The addition of a the new rule 1200-3-18-.78 "Other Facilities that Emit Volatile Organic Compounds (VOC's) of Fifty Tons Per Year".

(2) Revisions to rule 1200-3-18-.79 "Other Facilities that Emit Volatile Organic Compounds".

(E) Revisions to the State of Tennessee regulation by the addition of a new rule

1200-3-18-.42 "Wood Furniture Finishing and Cleaning", effective August 15, 1995.

(F) Revisions to the State of Tennessee regulation by the addition of a new rule 1200-3-18-.43 "Offset Lithographic Printing Operations", effective October 14, 1995.

(ii) Other material. None.

**§ 52.2225 [Amended]**

4. Section 52.2225 is amended by removing and reserving paragraphs (b) and (c).

[FR Doc. 96-18197 Filed 7-17-96; 8:45 am]

BILLING CODE 6560-50-P

**40 CFR Part 52**

[CA 071-0005a; FRL-5464-6]

**Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, El Dorado County Air Pollution Control District, Placer County Air Pollution Control District, and Ventura County Air Pollution Control District**

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

**ACTION:** Direct final rule.

**SUMMARY:** EPA is taking direct final action on revisions to the California State Implementation Plan (SIP). The revisions concern rules from the following air districts: El Dorado County Air Pollution Control District (EDCAPCD), Placer County Air Pollution Control District (PCAPCD), and Ventura County Air Pollution Control District (VCAPCD). This approval action will incorporate these rules into the federally approved SIP. The intended effect of approving these rules is to regulate emissions of volatile organic compounds (VOCs) in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). The rules control VOC emissions from adhesives and sealants, architectural coatings, and wood products coatings. Thus, EPA is finalizing the approval of these revisions into the California SIP under provisions of the CAA regarding EPA action on SIP submittals, SIPs for national primary and secondary ambient air quality standards and plan requirements for nonattainment areas.

**DATES:** This action is effective on September 16, 1996 unless adverse or critical comments are received by August 19, 1996. If the effective date is delayed, a timely notice will be published in the Federal Register.

**ADDRESSES:** Copies of the rule revisions and EPA's evaluation report for each

rule are available for public inspection at EPA's Region IX office during normal business hours. Copies of the submitted rule revisions are available for inspection at the following locations:

Rulemaking Section (A-5-3), Air and Toxics Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105.

Environmental Protection Agency, Air Docket (6102), 401 "M" Street, S.W., Washington, D.C. 20460.

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 2020 "L" Street, Sacramento, CA 92123-1095.

El Dorado County Air Pollution Control District, 2850 Fairlane Court, Placerville, CA 95667.

Placer County Air Pollution Control District, 11464 B Avenue, Auburn, CA 95603.

Ventura County Air Pollution Control District, 669 County Square Drive, Ventura, CA 93003.

**FOR FURTHER INFORMATION CONTACT:** Nikole Reaksecker, Rulemaking Section (A-5-3), Air and Toxics Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105, Telephone: (415) 744-1187.

**SUPPLEMENTARY INFORMATION:****Applicability**

The rules being approved into the California SIP include: EDCAPCD Rule 236—Adhesives, EDCAPCD Rule 215—Architectural Coatings, EDCAPCD Rule 237—Wood Products Coatings, PCAPCD Rule 235—Adhesives, PCAPCD Rule 218—Architectural Coatings, and VCAPCD Rule 74.20—Adhesives and Sealants. These rules were submitted by the California Air Resources Board (CARB) to EPA on October 13, 1995, May 24, 1995, November 30, 1994, and November 18, 1993.

**Background**

On March 3, 1978, EPA promulgated a list of ozone nonattainment areas under the provisions of the Clean Air Act, as amended in 1977 (1977 Act or pre-amended Act), that included the Sacramento Metro (including portions of El Dorado and Placer counties) and Ventura County areas. 43 FR 8964, 40 CFR 81.305. On May 26, 1988, EPA notified the Governor of California, pursuant to section 110(a)(2)(H) of the 1977 Act, that the EDCAPCD, PCAPCD and VCAPCD portions of the California SIP were inadequate to attain and maintain the ozone standard and requested that deficiencies in the existing SIP be corrected (EPA's SIP-