

Under Section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate; or to the private sector, of \$100 million or more. Under section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the approval action proposed/promulgated does not include a Federal 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. This Federal action approves pre-existing requirements under State or local law, and imposes no new Federal requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

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.

The Administrator's decision to approve or disapprove the SIP revision controlling lead emissions in Philadelphia will be based on whether it meets the requirements of section 110(a)(2) (A)-(K) and of the Clean Air Act, as amended, and EPA regulations in 40 CFR Part 51.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Lead, Reporting and recordkeeping requirements.

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

Dated: July 17, 1996.

Stanley L. Laskowski,

Acting Regional Administrator, Region III.

[FR Doc. 96-19322 Filed 7-29-96; 8:45 am]

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40 CFR Part 52

[PA065-4026b; FRL-5535-1]

Approval and Promulgation of Air Quality Implementation Plans; Proposed Approval of State Implementation Plan Revision for the Issuance of Federally Enforceable General State Operating Permits and General Plan Approvals Under Sections 110 and 112(l)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes to approve the State Implementation Plan (SIP) revision submitted by the Commonwealth of Pennsylvania for the purpose of creating Federally enforceable conditions for sources of criteria air pollutants in general operating permits and general plan approvals issued by the Commonwealth. In order to extend the federal enforceability of general State operating permits and general plan approvals to include hazardous air pollutants (HAPs), EPA is also proposing approval of Pennsylvania's general operating permit and general plan approval program regulations pursuant to Section 112(l) of the Act. In the Final Rules section of this Federal Register, EPA is approving the Commonwealth's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial SIP revision and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule and in the Technical Support Document (TSD) for this rulemaking. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. 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. **DATES:** Comments must be received in writing by August 29, 1996. **ADDRESSES:** Written comments on this action should be addressed to David Arnold, Chief, Permit Programs Section, Mailcode 3AT23, 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, and at the Pennsylvania Department of Environmental Protection, Bureau of Air Quality, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8468, Harrisburg, Pennsylvania 17105-8468.

FOR FURTHER INFORMATION CONTACT:

Michael H. Markowski, Mail Code 3AT23, U.S. Environmental Protection Agency, Region 3, 841 Chestnut Building, Philadelphia, Pennsylvania 19107, (215) 566-2063.

SUPPLEMENTARY INFORMATION: See the information provided in the Direct Final action of the same title which is located in the Rules and Regulations Section of this Federal Register.

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

Dated: June 26, 1996.

Stanley L. Laskowski,

Acting Regional Administrator, Region III.

[FR Doc. 96-19206 Filed 7-29-96; 8:45 am]

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40 CFR Part 70

[NY001; FRL-5544-3]

Clean Air Act Proposed Interim Approval of Operating Permits Program: State of New York

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed interim approval.

SUMMARY: The EPA proposes interim approval of the operating permits program submitted by the State of New York for the purpose of complying with Federal requirements for an approvable State program to issue operating permits to all major stationary sources and to certain other sources.

DATES: Comments on this proposed action must be received in writing by August 29, 1996.

ADDRESSES: Written comments should be addressed to Steven C. Riva, Chief, Permitting and Toxics Support Section, at the New York Region II Office listed below. Copies of the State's submittal and other supporting information used in developing the proposed interim approval as well as the Technical Support Document are available for inspection during normal business hours at the following locations:

EPA Region II, 290 Broadway (21st Floor until July 19, 25th Floor after July 19), New York, New York 10007-1866, Attention: Steven C. Riva.

New York State Department of Environmental Conservation, 50 Wolf