

appropriate circuit by November 25, 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), 42 U.S.C. 7607(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Hydrocarbons, Incorporation by reference, Nitrogen dioxide, Ozone, Volatile organic compounds.

Note: Incorporation by reference of the Implementation Plan for the State of Washington was approved by the Director of the Office of Federal Register on July 1, 1982.

Dated: September 6, 1996.
Chuck Clarke,
Regional Administrator.

PART 52—[AMENDED]

Part 52, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

1. The authority citation for Part 52 continues to read as follows:

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

Subpart WW—Washington

2. Section 52.2470 is amended by adding paragraph (c)(61) to read as follows:

§ 52.2470 Identification of plan.

* * * * *

(c) * * *

(61) SIP revisions received from WDOE on August 21, 1995, requiring vehicle owners to comply with its I/M program in the two Washington ozone nonattainment areas classified as "marginal" and in the three carbon monoxide nonattainment areas classified as "moderate". This revision applies to the Washington counties of Clark, King, Pierce, Snohomish, and Spokane.

(i) Incorporation by reference.

(A) July 26, 1995 letter from Director of WDOE to the Regional Administrator of EPA submitting revisions to WDOE's SIP consisting of the July 1995 *Washington State Implementation Plan for the Motor Vehicle Inspection and Maintenance Program* (including Appendices A through F), adopted August 1, 1995, and a supplement letter

and "Tools and Resources" table dated May 10, 1996.

[FR Doc. 96-24523 Filed 9-24-96; 8:45 am]
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40 CFR Parts 52 and 81

[LA-34-1-7300; FRL-5615-1]

Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; State of Louisiana; Correction of Classification; Approval of the Maintenance Plan; Redesignation of Pointe Coupee Parish to Attainment for Ozone

AGENCY: Environmental Protection Agency (EPA).

ACTION: Withdrawal of final rule.

SUMMARY: The EPA published without prior proposal a Federal Register notice approving a request from the State of Louisiana to remove Pointe Coupee Parish, Louisiana, from the Baton Rouge serious ozone nonattainment area, to reclassify the parish from serious to marginal, and to redesignate it to attainment for ozone. The direct final approval was published on July 22, 1996 (61 FR 37833).

The EPA subsequently received adverse comments on the action. Accordingly, the EPA is withdrawing its direct final approval. All public comments received will be addressed in a subsequent final rule.

EFFECTIVE DATE: This withdrawal is effective on September 25, 1996.

ADDRESSES: Copies of the State's petition and other information relevant to this action are available for inspection during normal hours at the following locations:

Environmental Protection Agency,
Region 6, Air Planning Section (6PD-L), 1445 Ross Avenue, Suite 700,
Dallas, Texas 75202-2733.
Air and Radiation Docket and
Information Center, Environmental
Protection Agency, 401 M Street,
S.W., Washington, D.C. 20460.
Louisiana Department of Environmental
Quality, Office of Air Quality, 7290
Bluebonnet Boulevard, Baton Rouge,
Louisiana 70810.

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

FOR FURTHER INFORMATION CONTACT: Lt. Mick Cote, Air Planning Section (6PD-L), Environmental Protection Agency, Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733, telephone (214) 665-7219.

List of Subjects

40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Incorporation by reference, Intergovernmental regulations, Ozone, Reporting and recordkeeping, and Volatile organic compounds.

40 CFR Part 81

Air pollution control, Designation of areas for air quality planning purposes.

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

Therefore, the final rule appearing at 61 FR 37833, July 22, 1996, which was to become effective September 20, 1996, is withdrawn.

Dated: September 18, 1996.

Carol M. Browner,
Administrator.

[FR Doc. 96-24522 Filed 9-20-96; 9:44 am]
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40 CFR PART 261

[SW-FRL-5615-5]

Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Final Exclusion

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is granting a petition submitted by the Texas Eastman Division of Eastman Chemical Company (Texas Eastman) to exclude from hazardous waste control (or delist), certain solid wastes. The wastes being delisted consists of ash generated from the incineration of waste water treatment sludge at its facility. This action responds to Texas Eastman's petition to delist these wastes on a "generator specific" basis from the lists of hazardous wastes. After careful analysis, EPA has concluded that the petitioned waste is not hazardous waste when disposed of in Subtitle D landfills. This exclusion applies only to the fluidized bed incinerator (FBI) ash generated at Texas Eastman's Longview, Texas, facility. Accordingly, this final rule excludes the petitioned waste from the requirements of hazardous waste regulations under the Resource Conservation and Recovery Act (RCRA) when disposed of in Subtitle D landfills.

EFFECTIVE DATE: September 25, 1996.

ADDRESSES: The public docket for this final rule is located at the Environmental Protection Agency, Region 6, 1445 Ross Avenue, Dallas,