

**§ 21.7636 Rates of payment.**

(a) *Monthly rate of educational assistance.* (1) Except as otherwise

provided in this section or in § 21.7639, the monthly rate of educational

assistance payable to a reservist is the amount stated in this table:

Period of pursuit of training	Training time			
	Fulltime	¾ time	½ time	¼ time
Oct. 1, 1995–Sept. 30, 1996 .....	\$197.90	\$148.42	\$98.95	\$49.47
On or after Oct. 1, 1996 .....	203.24	152.43	101.62	50.81

(2) The monthly rate of basic educational assistance payable to a reservist for pursuit of apprenticeship or other on-job training full time is the rate stated in this table:

(i)

Training period	Monthly rate	
	Oct. 1, 1995–Sept. 30, 1996	On or after Oct. 1, 1996
First six months of pursuit of training .....	\$148.42	\$152.43
Second six months of pursuit of training .....	108.94	111.78
Remaining pursuit of training .....	69.26	71.13

\* \* \* \* \*

(3) The monthly rate of educational assistance payable to a reservist for pursuit of a cooperative course is the rate stated in this table:

Period of pursuit of training	Monthly rate
Oct. 1, 1995–Sept. 30, 1996 ..	\$158.32
Oct. 1, 1996–Oct. 8, 1996 .....	162.59
On or after Oct. 9, 1996 .....	203.24

**Authority:** 10 U.S.C. 16131(b), (c); sec. 12009(c), Pub. L. 103–66, 107 Stat. 416)

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[TX43–1–7333; FRL–5824–6]

**Clean Air Act Limited Approval of Volatile Organic Compound (VOC) Control Measures for Texas**

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

**ACTION:** Final rule.

**SUMMARY:** The EPA is giving limited approval to certain control measures

adopted by the State of Texas in its 15 Percent Rate of Progress Plan. The effect of this action is to finalize the proposed limited approval of these measures published on January 29, 1996, in the **Federal Register** (FR) because they strengthen the State Implementation Plan (SIP) by reducing VOC emissions in the four nonattainment areas in Texas. Also, the EPA is finalizing the limited approval of the measures in the contingency plans because these measures, if implemented, will strengthen the SIP.

**EFFECTIVE DATE:** This final rule is effective on June 23, 1997.

**FOR FURTHER INFORMATION CONTACT:** Guy Donaldson at (214) 665–7242.

**SUPPLEMENTARY INFORMATION:**

**Background**

Section 182(b)(1) of the Clean Air Act (the ACT), as amended in 1990, requires ozone nonattainment areas with classifications of moderate and above to develop plans to reduce area-wide VOC emissions by 15 percent from a 1990 baseline. These plans also had to include contingency measures in the amount of 3 percent to be implemented if the plans failed to achieve the required reductions. In Texas, 15 Percent Rate of Progress Plans were required for the Beaumont/Port Arthur, Dallas/Fort Worth, El Paso and Houston/Galveston areas. Texas made submittals on November 13, 1993; May 9, 1994, August 3, 1994, and November 14, 1994, to meet the Act's requirement.

In these proposed SIP revisions, Texas included changes to 30 Texas Administrative Code, Chapter 115, concerning the control of VOCs. These revisions included controls on several stationary sources and also limits on gasoline volatility in the El Paso area. On January 29, 1996, the EPA published a proposed limited approval of these control measures. These measures result in a strengthening of the SIP because they will result in reductions in air pollution. The EPA is not taking any action on whether the control measures included in these plans comply with the RACT requirements of the Act, section 182(b)(2), or any other underlying Act

requirement. In addition, the EPA is giving limited approval of only the Alternate Means of Control (AMOC) portion of the November 9, 1994, submittal as a strengthening of the SIP. The EPA is taking no action on any other portion of the November 9, 1994, submittal. In this action, the EPA is only finalizing the proposed limited approval of the control measures. The EPA is taking no action with regard to the limited approval and limited disapproval of the 15 Percent Plans themselves. Texas submitted revised 15 Percent Plans for the four areas in a letter dated August 9, 1996. The EPA will evaluate these revised plans and take action in a separate **Federal Register** document on the resubmitted 15 Percent Rate of Progress Plans and Contingency Plans.

This final rule addresses the comments received during the public comment period and announces EPA's final action regarding limited approval of the control measures.

**Response to Public Comments**

In the January 10, 1996, **Federal Register**, the EPA requested public comments on the proposed rules (61 FR 2751–2760). The EPA received five letters commenting on the January 29, 1996, proposal. They can be placed in the following categories: comments on the amount of emission reduction being approved or disapproved in the proposal, comments regarding the timing of the final action, comments on the action on the AMOC and comments on the concept of a limited approval/limited disapproval, comments on the legality of submitting the Texas plan in phases, and comments on whether the proposed bakery rules are Reasonably Available Control Technology.

*Comments on the Amount of Emission Reductions*

Two commentators believed the EPA was proposing approval of the incorrect amount of emission reductions. One commentator believed that not enough emission reductions were being credited to the industrial wastewater rules. Another commentator believed that too much credit was being allowed for

several measures. In this action, the EPA is not finalizing its action on the amount of emission reductions projected in the plan. This action only finalizes the approval of certain of the control measures included in the plan as a strengthening of the SIP. Comments on the amount of reductions in the plan will be addressed in a separate action on the overall 15 Percent plans.

#### *Comments on the Timing of the Final Action*

Six commentors asked that the EPA withhold final action on the limited disapproval of the 15 Percent Plans until the revised plans could be submitted. The EPA is not taking action on the proposed limited approval/limited disapproval of the 15 Percent Plans at this time. Texas submitted revisions to its 15 Percent Plans in a letter dated August 9, 1996.

#### *Comments on the Approval of the AMOC provisions*

Two commentors supported the approval of the AMOC provisions. One commentor felt that the AMOC provisions should not be approved because they are "illegal and outside the Clean Air Act."

The AMOC provisions allow facilities to identify alternate methods of achieving emissions reductions than those called for in the regulations. The provisions require facilities to achieve more reductions when using alternative methods than would be required by traditional compliance with the State rules. By identifying alternative compliance methods, facilities may be able to achieve greater environmental benefit at substantial cost savings. The AMOC provisions require facilities to apply to the State for approval of an AMOC plan. The State must take public comment on the proposed plan and the EPA has final review authority. The goal of the AMOC process is to provide a process that is less time consuming than processing a source specific SIP revision but still allows appropriate public and EPA review. The EPA disagrees that the AMOC provisions do not meet the requirements of the Act. The State rule requires: (1) greater emission reductions for alternate control methods, (2) a public comment period and (3) EPA approval/disapproval.

#### *Comments on the Concept of a Limited Approval/Limited Disapproval*

One commentor states that the EPA has taken a distorted interpretation of the Act by giving limited approval to the measures in the plan as strengthening the SIP since the Act contains specific deadlines.

The EPA agrees that the Act does require emission reductions to occur by specific deadlines. In fact, the proposed limited disapproval was based on the failure of Texas to demonstrate that sufficient reductions would occur to meet the 15 percent requirement. The EPA does believe that the measures being giving limited approval will result in substantial emission reductions and are enforceable, thus warranting a limited approval as a strengthening of the SIP. The limited approval makes the rules federally enforceable. It is EPA's position that sections 110(k)(3) and 301(a) of the Act provide the legal authority for the process.

#### *Comments on the Submittal of the Texas Plan in Phases*

One commentor believes that the EPA should not have allowed Texas to submit its plan in phases.

The EPA is not addressing the 15 Percent Plans and the related deadlines at this time. The EPA is only approving the control measures as a strengthening of the SIP not as part of the 15 Percent Plans.

#### *Comments on Whether the Bakery Rules are RACT*

One commentor stated the bakery rules which call for 30 percent control should not be considered RACT. The EPA is not approving the bakery rules as RACT. We specifically note in the January 29, 1996 proposal that no action is being taken on whether the measures represent RACT. Texas submitted additional information regarding RACT issues for several source categories including bakeries in a January 19, 1996, proposed SIP revision. The EPA is evaluating this information and will be publishing a determination regarding RACT in a future **Federal Register** action.

#### **Final Action**

It is EPA's determination that approval of the control measures in these plans will strengthen the SIP. The EPA is giving limited approval to the control measures in the 15 Percent Plans and Contingency Plans under sections 110(k)(3) and 301(a) of the Act. In this action, the EPA is not addressing whether these control measures, being approved as a strengthening of the SIP, meet any other underlying requirements of the Act such as the requirement for VOC RACT under 182(b)(2). The EPA will address these requirements in separate **Federal Register** documents.

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.

#### **Administrative Requirements**

##### *A. Executive Order (E.O.) 12866*

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 has exempted this regulatory action from E.O. 12866 review.

##### *B. Regulatory Flexibility Act*

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. See 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.

The SIP approvals under sections 110 and 301, and subchapter I, part D of the 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 flexibility analysis would constitute Federal inquiry into the economic reasonableness of State action. The Act forbids EPA to base its actions concerning sip's on such grounds. See *Union Electric Co. v. U.S. EPA*, 427 U.S. 246, 255-66 (1976); 42 U.S.C. 7410(a)(2).

##### *C. Unfunded Mandates*

Under section 202 of the Unfunded Mandates Reform Act of 1995, 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 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.

The EPA has determined that the approval action 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 preexisting requirements under State or local law, and imposes no new requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

**D. Submission to Congress and the General Accounting Office**

Under 5 U.S.C. section 801(a)(1)(A) as added 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 5 U.S.C., section 804(2).

**E. Petitions for Judicial Review**

Under section 307(b)(1) of the Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by July 21, 1997. 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, Hydrocarbons, Incorporation by reference, Intergovernmental regulations, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: April 29, 1997.

**Jerry Clifford,**

*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 SS—Texas**

2. Section 52.2270 is amended by adding paragraph (c)(104) to read as follows:

**§ 52.2270 Identification of plan.**

\* \* \* \* \*

(c) \* \* \*

(104) Revisions to the Texas State Implementation Plan, submitted to the EPA in letters dated November 13, 1993, May 9, 1994, August 3, 1994, and November 14, 1994. These control measures can be found in the 15 Percent Plans for the Beaumont/Port Arthur, Dallas/Fort Worth, El Paso and Houston/Galveston ozone nonattainment areas. These control measures are being approved for the purpose of strengthening of the SIP.

(i) Incorporation by reference.

(A) Revisions to the General Rules as adopted by the Texas Natural Resource Conservation Commission on November 10, 1993; Section 101.1—New Definitions for Alcohol Substitutes (used in offset lithographic printing), Automotive basecoat/clearcoat system (used in automobile refinishing), Automotive precoat (used in automobile refinishing), Automotive pretreatment (used in automobile refinishing), Automotive sealers (used in automobile refinishing), Automotive specialty coatings (used in automobile refinishing), Automotive three-stage system (used in automobile refinishing), Batch (used in offset lithographic printing), Cleaning solution (used in offset lithographic printing), Fountain Solution (used in offset lithographic printing), Hand-held lawn and garden and utility equipment, Heatset (used in Offset lithographic Printing), HVLP spray guns, Industrial Solid Waste introductory paragraph and (A)–(C), Lithography (used in offset lithographic printing), Marine terminal, Marine vessel, Municipal solid waste facility, Municipal solid waste landfill, Municipal solid waste landfill emissions, Non-heatset (used in offset lithographic printing), Offset lithography, Sludge, Solid waste introductory paragraph and (A)–(C), Synthetic Organic Chemical Manufacturing Industry batch distillation operation, Synthetic Organic Chemical Manufacturing Industry batch process, Synthetic Organic Chemical Manufacturing Industry distillation unit, Synthetic Organic Chemical Manufacturing Industry reactor process, Transport vessel, Utility Engines, Vapor recovery system, Volatile Organic Compound introductory and (A)–(D). Revised sections 115.121(a)(1), 115.121(a)(2), 115.121(a)(3), 115.121(a)(4), 115.122(a)(2), 115.122(a)(3), 115.122(a)(3)(A), 115.122(a)(3)(B), 115.123(a), 115.123(a)(1), 115.123(a)(2), 115.126(a)(1), 115.126(a)(1)(C), 115.126(b)(1)(C), 115.127(a)(1), 115.127(a)(2), 115.127(a)(3), 115.127(a)(4), 115.127(a)(5),

Manufacturing Industry distillation unit, Synthetic Organic Chemical Manufacturing Industry reactor process, Transport vessel, Utility engines, Vapor recovery system, VOC introductory paragraph and (A)–(D).

(B) Revisions to Regulation V, as adopted by the Commission on November 10, 1993; Section 115.010. new definitions for Alcohol substitutes (used in offset lithographic printing), Automotive basecoat/clearcoat system (used in automobile refinishing), Automotive precoat (used in automobile refinishing), Automotive pretreatment (used in automobile refinishing), Automotive sealers (used in automobile refinishing), Automotive specialty coatings (used in automobile refinishing), Automotive three-stage system (used in automobile refinishing), Batch (used in offset lithographic printing), Cleaning solution (used in offset lithographic printing), Fountain Solution (used in offset lithographic printing), Hand-held lawn and garden and utility equipment, Heatset (used in Offset lithographic Printing), High-volume low-pressure spray guns, Industrial solid waste introductory paragraph and (A)–(C), Leakless Valve, Lithography (used in offset lithographic printing) Marine terminal, Marine vessel, Municipal solid waste facility, Municipal solid waste landfill, Municipal solid waste landfill emissions, Non-heatset (used in offset lithographic printing), Offset lithography, Owner or operator of a motor vehicle dispensing facility (as used in §§ 115.241–115.249 of this title, relating to Control of Vehicle Refueling Emissions (Stage II) at Motor Fuel Dispensing Facilities), Sludge, Solid waste introductory paragraph and (A)–(C), Synthetic Organic Chemical Manufacturing Industry batch distillation operation, Synthetic Organic Chemical Manufacturing Industry batch process, Synthetic Organic Chemical Manufacturing Industry distillation unit, Synthetic Organic Chemical Manufacturing Industry reactor process, Transport vessel, Utility Engines, Vapor recovery system, Volatile Organic Compound introductory and (A)–(D). Revised sections 115.121(a)(1), 115.121(a)(2), 115.121(a)(3), 115.121(a)(4), 115.122(a)(2), 115.122(a)(3), 115.122(a)(3)(A), 115.122(a)(3)(B), 115.123(a), 115.123(a)(1), 115.123(a)(2), 115.126(a)(1), 115.126(a)(1)(C), 115.126(b)(1)(C), 115.127(a)(1), 115.127(a)(2), 115.127(a)(3), 115.127(a)(4), 115.127(a)(5),

- 115.127(a)(5)(A), 115.127(a)(5)(B), 115.127(a)(5)(C), 115.129(a)(1), 115.129(a)(2), 115.129(a)(3), 115.129(a)(4), 115.152(a)(2), 115.152(a)(2)(A)–115.152(a)(2)(C), 115.152(a)(3), 115.152(b), 115.152(b)(1), 115.152(b)(2), 115.152(b)(3), 115.155 introductory paragraph, 115.155(1), 115.155(4), 115.155(5), 115.155(6), 115.155(7), 115.155(9), 115.156(1), 115.156(3), 115.156(3)(B), 115.156(3)(C), 115.156(3)(D), 115.156(3)(D)(i)–115.156(3)(D)(iii), 115.156(3)(E), 115.156(3)(E)(i), 115.156(3)(E)(ii), 115.211(a)(1), 115.211(b), 115.212(a)(1), 115.212(a)(2), 115.212(a)(3), 115.212(a)(4), 115.212(a)(5)(A), 115.212(a)(5)(A)(i), 115.212(a)(5)(A)(ii), 115.212(a)(5)(B), 115.212(a)(6), 115.212(a)(7), previously approved 115.212(a)(4)(A) now redesignated 115.212(a)(8)(A), 115.212(a)(8)(B), 115.212(a)(8)(C), 115.212(a)(9)(A)–115.212(a)(9)(D), 115.212(a)(10)(A), 115.212(a)(10)(B), 115.212(b), 115.212(b)(1), 115.212(b)(2), 115.212(b)(3), 115.212(b)(3)(A), 115.212(b)(3)(A)(i), 115.212(b)(3)(A)(ii), 115.212(b)(3)(B), 115.212(b)(4), 115.212(b)(5), 115.212(b)(6), 115.212(c)(1), 115.212(c)(2), 115.212(c)(3), 115.212(c)(3)(A), 115.212(c)(3)(A)(i), 115.212(c)(3)(A)(ii), 115.212(c)(3)(B), 115.212(c)(4), 115.212(c)(5), 115.214(b)(1), 115.215(b)(7), 115.216(a), 115.216(a)(1), 115.216(a)(2)(C), 115.216(a)(3)(A), 115.216(a)(3)(B), 115.216(a)(3)(C), 115.216(a)(4)(A), 115.216(a)(4)(B), 115.216(a)(4)(C), 115.216(a)(5), 115.216(a)(5)(B), 115.216(a)(5)(C), 115.216(b), 115.216(b)(1), 115.216(b)(2)(C), 115.216(b)(5), 115.216(b)(5)(A), 115.216(b)(5)(B), 115.217(a)(1), 115.217(a)(2), 115.217(a)(3)(A), 115.217(a)(10)(A)–115.217(a)(10)(C) (note: 115.217(a)(10)(A)–115.217(a)(10)(C) were moved to 115.217(a)(8)(A)–115.217(a)(8)(C) in the May, 9, 1994 adoption without revisions), 115.217(a)(11)(A), 115.217(a)(11)(B) (note that 115.217(a)(11)(A) and 115.217(a)(11)(B) were moved to 115.217(a)(9)(A) and 115.217(a)(9)(B) in the May 9, 1994 adoption without revisions, 115.217(b)(1), 115.217(b)(2)(A)–115.217(b)(2)(C), 115.217(b)(3), 115.217(b)(4), 115.217(b)(4)(A)–115.217(b)(4)(C), 115.217(b)(5), 115.217(b)(5)(A), 115.217(b)(5)(B), 115.217(c)(1), 115.217(c)(2)(A)–115.217(c)(2)(C), 115.217(c)(3), 115.217(c)(4), 115.217(c)(4)(A)–115.217(c)(4)(C), 115.217(c)(5), 115.217(c)(5)(A), 115.217(c)(5)(B), 115.219(b), 115.222(1), 115.222(5), 115.222(6), 115.222(7), 115.222(8), 115.222(9), 115.222(10), 115.222(11), 115.226 introductory paragraph, 115.226(1), 115.226(2), 115.226(2)(A), 115.226(2)(B), 115.227(1), 115.227(2), 115.227(3), 115.227(3)(A), 115.227(3)(B), 115.229(a), 115.229(b), 115.229(c), 115.229(c)(1), 115.229(c)(2), 115.234 introductory paragraph, 115.234(1), 115.234(2), 115.235(1), 115.235(4), 115.236 introductory paragraph, 115.236(1), 115.237(1), 115.237(2), 115.237(3), 115.239(a), 115.239(b), 115.242(1), 115.242(1)(A), 115.242(1)(B), 115.242(2), 115.242(2)(A)–115.242(2)(F), 115.242(3), 115.242(3)(A), 115.242(3)(B), 115.242(3)(C), 115.242(3)(C)(i)–115.242(3)(C)(iii), 115.242(3)(D)–115.242(3)(K), 115.242(4), 115.242(5), 115.242(6), 115.242(7), 115.242(8), 115.242(9), 115.242(9)(A)–115.242(9)(C), 115.242(10), 115.242(10)(A), 115.242(10)(B), 115.242(11), 115.242(12), 115.242(12)(A)–115.242(12)(C), 115.243 introductory paragraph, 115.243(1), 115.243(2), 115.244 introductory paragraph, 115.244(1), 115.244(2), 115.244(3), 115.244(4), 115.245 introductory paragraph, 115.245(1), 115.245(1)(A), 115.245(1)(A)(i)–115.245(1)(A)(iv), 115.245(1)(B), 115.245(1)(C), 115.245(1)(D), 115.245(2), 115.245(3), 115.245(3)(A)–115.245(3)(C), 115.245(4), 115.245(5), 115.245(5)(A), 115.245(5)(B), 115.245(6), 115.246(1), 115.246(2), 115.246(3), 115.246(4), 115.246(5), 115.246(6), 115.246(7), 115.246(7)(A), 115.246(7)(B), 115.247(2), 115.248(1), 115.248(1)(A), 115.248(1)(B), 115.248(3), 115.248(3)(A)–115.248(3)(E), 115.248(4), 115.248(4)(A), 115.248(4)(B), 115.248(4)(B)(i), 115.248(4)(B)(ii), 115.249(1), 115.249(2), 115.249(3), 115.249(4), 115.324(a)(8)(A)(iii), 115.334(3)(A)(iii). New sections 115.352, 115.353, 115.354, 115.355, 115.356, 115.357, and 115.359. Revised sections 115.421(a)(8)(B), 115.421(a)(8)(B)(i), 115.421(a)(8)(C), 115.421(a)(8)(C)(i)–115.421(a)(8)(C)(ix), 115.421(a)(8)(D), 115.421(a)(11), 115.422 introductory paragraph, 115.422(1), 115.422(2), 115.426(a)(1)(B), 115.426(a)(2)(A)(iii), 115.426(b)(1)(B), 115.426(b)(2)(A)(iii), 115.427(a)(1)(B), 115.427(a)(2), 115.427(a)(3), 115.427(a)(4), 115.427(a)(4)(A)–115.427(a)(4)(E), 115.427(a)(5), 115.427(a)(6), deletion of 115.427(a)(7), 115.429(a), 115.429(b), 115.429(c). New Subchapter E: Offset Lithography, sections 115.442, 115.443, 115.445, 115.446, 115.449, and new Subchapter F: Miscellaneous Industrial Sources, Degassing or Cleaning of Stationary and Transport Vessels, sections 115.541, 115.542, 115.543, 115.544, 115.545, 115.546, 115.547, 115.549. Revised sections 115.910(b), 115.930, 115.932, 115.940. New Subchapter J: Administrative Provisions, Standard Permits, section 115.950.
- (C) Texas Natural Resources Conservation Commission Order No. 93–20 as adopted November 10, 1993.
- (D) Revisions to the General Rules as adopted by the Commission on May 4, 1994; 101.1 new definitions for Alcohol (used in offset lithographic printing), Bakery oven, Clear coat (used in wood parts and products coating), Clear sealers (used in wood parts and products coating), Final repair coat (used in wood parts and products coating), Opaque ground coats and enamels (used in wood parts and products coating), Semitransparent spray stains and toners (used in wood parts and products coating), Semitransparent wiping and glazing stains (used in wood parts and products coating), Shellacs (used in wood parts and products coating), Surface coating processes (M) Wood parts and Products Coating, Topcoat (used in wood parts and products coatings), Varnishes (used in wood parts and products coatings), Wash coat (used in wood parts and products coating).
- (E) Revisions to Regulation V as adopted by the Commission on May 4, 1994; 115.10 new Definitions for Alcohol (used in offset lithographic printing), Bakery oven, Clear coat (used in wood parts and products coating), Clear sealers (used in wood parts and products coating), Continuous monitoring, Final repair coat (used in wood parts and products coating), Leak-free marine vessel, Marine loading facility, Marine terminal, Opaque ground coats and enamels (used in wood parts and products coating), Semitransparent spray stains and toners (used in wood parts and products coating), Semitransparent wiping and glazing stains (used in wood parts and products coating), Shellacs (used in wood parts and products coating), Surface coating processes (M) Wood parts and Products Coating, Topcoat (used in wood parts and products coatings), Varnishes (used in wood parts and products coatings), Wash coat (used in wood parts and products coating). Revised 115.121(a)(5), 115.122(a)(3), 115.122(a)(3)(A)–115.122(a)(3)(D), 115.122(a)(4), note: previously adopted 115.122(a)(3)(A) and 115.122(a)(3)(B) moved to 115.122(a)(4)(A) and 115.122(a)(4)(B) without revisions), 115.126(a)(4), 115.126(a)(4)(A)–115.126(a)(4)(C), 115.126(a)(5), 115.126(a)(5)(A)–115.126(a)(5)(C), 115.127(a)(3)(B), 115.127(a)(3)(C), 115.127(a)(3)(D), 115.127(a)(6),

115.129(5), 115.129(6), 115.129(7), 125.129(8), 115.132(a)(4), 115.132(a)(4)(A), 115.132(a)(4)(B), 115.139(a)(1), 115.139(a)(2), New Subchapter B: General Volatile Organic Compound Sources, Industrial Wastewater, Sections 115.140, 115.142, 115.143, 115.144, 115.145, 115.146, 115.147, 115.148, 115.149. Revised 115.152(a), 115.152(a)(1), 115.153, 115.155(2), 115.155(3), 115.155(8), 115.156 Introductory paragraph, 115.156(2), 115.156(2)(A)–115.156(G), 115.156(3), 115.156(3)(A), 115.157 Introductory Paragraph, 115.157(1), 115.157(2), 115.159(a), 115.159(b), 115.159(c), 115.211(a)(1)(A), 115.211(a)(1)(B), 115.211(a)(2), 115.211(a)(3), 115.212(a)(5), 115.212(a)(8), 115.212(a)(9), 115.212(a)(10), 115.212(a)(10)(A)–115.212(a)(10)(C), 115.212(a)(11), 115.212(a)(11)(A), 115.212(a)(11)(B), 115.212(a)(12), 115.212(c), 115.213(c), 115.214(a)(1), 115.214(a)(2), 115.214(a)(3), 115.214(a)(4), 115.214(a)(5), 115.214(a)(5)(A)–115.214(a)(5)(E), 115.214(a)(6), 115.215(a), 115.215(a)(7), 115.215(a)(8), 115.215(a)(9), 115.215(a)(10), 115.216(a)(4), 115.216(a)(5)(A), 115.216(a)(6), 115.216(a)(6)(A), 115.216(a)(6)(A)(i)–115.216(a)(6)(A)(iii), 115.216(a)(6)(B), 115.216(a)(6)(C), 115.216(a)(6)(D), 115.216(a)(7), 115.216(a)(8), 115.217(a)(3), 115.217(a)(3)(B), 115.217(a)(3)(C), 115.217(a)(4), 115.217(a)(5), 115.217(a)(6), 115.217(a)(6)(A), 115.217(a)(6)(B), 115.217(a)(7), 115.217(a)(8), 115.217(a)(8)(D), 115.217(a)(9), 115.217(a)(9)(C), 115.217(a)(10), 115.217(a)(10)(A)–115.217(a)(10)(E), 115.217(a)(11), 115.217(a)(11)(A)–115.217(a)(11)(C), 115.217(b)(2), 115.217(c)(2), 115.219(a)(1), 115.219(a)(2), 115.219(a)(3), 115.219(a)(4), 115.219(a)(5), 115.219(a)(6), new Sections 115.252, 115.253, 115.255, 115.256, 115.257, 115.259, revised 115.352 introductory paragraph, 115.353, 115.354 introductory paragraph, 115.355 introductory paragraph, 115.356 introductory paragraph, 115.357 introductory paragraph, 115.357(2), 115.357(9), 115.359, 115.415(a)(1)(A), 115.415(b)(1)(A), 115.416(a), 115.421(a), 115.421(a)(13), 115.421(a)(13)(A), 115.421(a)(13)(A)(I)–115.421(a)(13)(A)(vii), 115.421(a)(13)(A)(viii), 115.421(a)(13)(A)(viii)(I), 115.421(a)(13)(A)(viii)(II), 115.421(a)(13)(A)(ix), 115.421(a)(13)(A)(x), 115.421(a)(13)(B), 115.421(a)(13)(C), 115.421(a)(13)(C)(I),

115.421(a)(13)(C)(ii), 115.422(1)(A)–115.422(1)(C), 115.422(3), 115.422(3)(A), 115.422(3)(B), 115.429(d), 115.432(a), 115.432(a)(2), 115.432(a)(2)(A), 115.432(a)(2)(B), 115.442 introductory paragraph, 115.443, 115.445 introductory paragraph, 115.446 introductory paragraph, 115.446(5), 115.449(a), 115.449(b), 115.449(c), 115.532(a)(5), 115.532(a)(5)(A), 115.532(a)(5)(B), 115.541(a), 115.541(b), 115.541(b)(1), 115.541(b)(2), 115.541(b)(3), 115.541(b)(4), 115.541(b)(5), 115.542(a), 115.543, 115.544 introductory paragraph, 115.545 introductory paragraph, 115.546 introductory paragraph, 115.547 introductory paragraph, 115.549(a), 115.549(b), 115.549(c), new sections 115.552, 115.553, 115.555, 115.556, 115.557, 115.559, repeal of sections 115.612, 115.613, 115.614, 115.615, 115.617, 115.619, new sections 115.600, 115.610, 115.612, 115.613, 115.614, 115.615, 115.616, 115.617, and 115.619.

(F) Texas Natural Resource Conservation Commission Order No. 94–06 as adopted May 4, 1994.

(G) Revision to Regulation V as adopted by the Commission on July 13, 1994; new sections 115.901, 115.910, 115.911, 115.912, 115.913, 115.914, 115.915, 115.916, 115.920, 115.923.

(H) Texas Natural Resource Conservation Commission Order No. 94–26 as adopted July 13, 1994.

(I) Texas Natural Resource Conservation Commission Order No. 94–0676-SIP as adopted November 9, 1994.

(ii) Additional material.

(A) Appendix A of the Revision to the Texas SIP adopted by the Commission on November 9, 1994 concerning alternate means of control.

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[FRL–5828–6]

#### Approval and Promulgation of Air Quality Implementation Plans; Revised Format of 40 CFR Part 52 for Materials Being Incorporated by Reference

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of administrative change.

SUMMARY: EPA is revising the format of 40 CFR part 52 for materials submitted by states that are incorporated by reference into their respective state

implementation plans (SIPs). This format revision will primarily affect the “Identification of plan” sections assigned to each subpart (i.e., state or territory) of 40 CFR part 52, as well as the format of the SIP materials that will be available for public inspection at the Office of the **Federal Register**, the Air and Radiation Docket and Information Center located in Waterside Mall, Washington, D.C., and the originating Regional Offices. The revised format will; better serve to help the public in determining the applicable state provisions, rules and regulations that comprise the respective Federally-enforceable SIP’s; streamline the format of the documents that will be available for public inspection at the above-mentioned locations; streamline the IBR review process followed by the Office of the **Federal Register** in reviewing state material for incorporation by reference into 40 CFR part 52; and assure continued compliance with the provisions of the Clean Air Act, which requires EPA to periodically publish comprehensive SIP documents for each state. The sections of 40 CFR part 52 pertaining to provisions promulgated by EPA or state-submitted materials not subject to IBR review remain unchanged.

**EFFECTIVE DATE:** This action is effective May 22, 1997.

**ADDRESSES:** SIP materials which are incorporated by reference into 40 CFR part 52 are available for inspection at (1) the Office of Air and Radiation, Docket and Information Center (Air Docket), EPA, 401 M Street, SW., Room M1500, Washington, DC 20460; and (2) the Office of the **Federal Register**, 800 North Capitol Street, NW., Suite 700, Washington, DC.

In addition, all SIP materials listed in the “Identification of plan” sections of each 40 CFR part 52 subpart are available at the appropriate EPA Regional Office as listed below:

(i) Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont. Environmental Protection Agency, Region 1, One Congress Street, Boston, MA 02203.

(ii) New York, New Jersey, Puerto Rico, and Virgin Islands. Environmental Protection Agency, Region 2, 290 Broadway, New York, NY 10007–1866.

(iii) Delaware, District of Columbia, Pennsylvania, Maryland, Virginia, and West Virginia. Environmental Protection Agency, Region 3, 841 Chestnut Building, Philadelphia, PA 19107.

(iv) Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee. Environmental Protection