to the U.S. Senate, the U.S. House of Representatives and the Comptroller General of the General Accounting Office prior to publication of the rule in today's **Federal Register**. This rule is not a ''major rule'' as defined by section 804(2) of the APA as amended.

E. Petitions for Judicial Review

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by August 11, 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 it will 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 relations, Ozone, Volatile organic compounds.

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

Dated: May 28, 1997.

Felicia Marcus,

Regional Administrator.

For the reasons stated in the preamble, part 52, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

Subpart D—Arizona

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

Authority: 42 U.S.C. 7401–7671q.

2. Section 52.120 is amended by adding paragraph (c)(87) to read as follows:

§ 52.120 Identification of plan.

* * * * *

(c) * * *

(87) New and amended fuel regulations for the following Arizona Department of Environmental Quality plan revisions were submitted on April 29, 1997, by the Governor's designee.

(i) Incorporation by reference.

(A) Arizona Revised Statutes.

(*1*) Section 13 of H.B, 2001 (A.R.S. § 41–2083(E)), adopted on November 12, 1993.

[FR Doc. 97–15093 Filed 6–10–97; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[PA83–4062a; FRL–5835–2]

Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Approval of Source-Specific VOC and NO_X RACT Determinations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is approving a State Implementation Plan (SIP) revision submitted by the Commonwealth of Pennsylvania. This revision establishes and requires volatile organic compounds (VOC) and nitrogen oxides (NO_X) reasonably available control technology (RACT) on one major source. The intended effect of this action is to approve source-specific plan approvals. This action is being taken under section 110 of the Clean Air Act.

DATES: This final rule is effective July 28, 1997 unless within July 11, 1997, adverse or critical comments are received. If the effective date is delayed, timely notice will be published in the **Federal Register**.

ADDRESSES: Comments may be mailed to David J. Campbell, Pennsylvania RACT Team Leader, Mailcode 3AT22, 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; the Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460; and the Pennsylvania Department of Environmental Protection, Bureau of Air Quality, P.O. Box 8468, 400 Market Street, Harrisburg, Pennsylvania 17105.

FOR FURTHER INFORMATION CONTACT: Janice M. Lewis, (215) 566–2185, or by e-mail at lewis.janice@epamail.epa.gov. While information may be requested via e-mail, comments must be submitted in writing to the above Region III address.

SUPPLEMENTARY INFORMATION: On December 8, 1995 the Commonwealth of Pennsylvania submitted a formal revision to its State Implementation Plan (SIP). The SIP revision consists of one plan approval for one individual source of volatile organic compounds (VOCs) and/or nitrogen oxides (NO_X) located in Pennsylvania. Any plan approvals and operating permits submitted coincidentally with those being approved in this notice, and not identified below, will be addressed in a separate rulemaking action. This rulemaking addresses one plan approval pertaining to the following source: (1) Pennzoil Products Company (Rouseville, Venango County)—petroleum refinery.

Pursuant to sections 182(b)(2) and 182(f) of the Clean Air Act (CAA), Pennsylvania is required to implement RACT for all major VOC and NO_X sources by no later than May 31, 1995. The major source size is determined by its location, the classification of that area and whether it is located in the ozone transport region (OTR), which is established by the CAA. The Pennsylvania portion of the Philadelphia ozone nonattainment area consists of Bucks, Chester, Delaware, Montgomery, and Philadelphia Counties and is classified as severe. The remaining counties in Pennsylvania are classified as either moderate or marginal nonattainment areas or are designated attainment for ozone. However, under section 184 of the CAA, at a minimum, moderate ozone nonattainment area requirements [including RACT as specified in sections 182(b)(2) and 182(f)] apply throughout the OTR. Therefore, RACT is applicable statewide in Pennsylvania.

The December 8, 1995 Pennsylvania submittals that are the subject of this notice are meant to satisfy the RACT requirements for one source in Pennsylvania.

Summary of SIP Revision

The details of the RACT requirements for the source-specific plan approvals can be found in the docket and accompanying technical support document and will not be reiterated in this notice. Briefly, EPA is approving one plan approval as RACT.

RACT

EPA is approving the plan approval of the following facility located in Pennsylvania: (1) Pennzoil Products Company (Rouseville, Venango County)—petroleum refinery—major source of NO_X emissions.

The specific emission limitations and other RACT requirements for these

sources are summarized in the accompanying technical support document, which is available from the EPA Region III office.

EPA is approving this SIP revision without prior proposal because the Agency 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 should adverse or critical comments be filed. This action will be effective July 28, 1997 unless within July 11, 1997, adverse or critical comments are received.

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. 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 on July 28, 1997.

Final Action

EPA is approving two plan approvals as RACT for one individual source located in Pennsylvania.

Administrative Requirements

A. Executive Order 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 (OMB) 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. 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 Clean Air 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, the Administrator certifies 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 flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The Clean Air Act forbids EPA to base its actions concerning SIPs on such grounds. *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 (''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 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.

D. Submission to Congress and the General Accounting Office

Under 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 the rule in today's **Federal Register**. This rule is not a ''major rule'' as defined by section 804(2).

E. Petitions for Judicial Review

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by July 28, 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, pertaining to the VOC and NO_X RACT determination for one source in Pennsylvania, 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, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements.

Dated: May 23, 1997.

James W. Newsom,

Acting Regional Administrator, Region III.

40 CFR part 52, subpart NN of chapter I, title 40 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 NN—Pennsylvania

2. Section 52.2020 is amended by adding paragraph (c)(124) to read as follows:

§ 52.2020 Identification of plan.

* * * * *

(c) * * *

(124) Revisions to the Pennsylvania Regulations, Chapter 129.91 pertaining to VOC and NO_X RACT, submitted on December 8, 1995 by the Pennsylvania Department of Environmental Resources (now known as the Pennsylvania Department of Environmental Protection):

(i) Incorporation by reference.

(A) Two letters, dated December 8, 1995 and September 13, 1996, from the Pennsylvania Department of Environmental Protection transmitting source-specific VOC and/or NO_X RACT determinations in the form of one plan approval for the following source: Pennzoil Products Company (Rouseville, Venango County)—petroleum refinery.

(B) Plan Approval (PA):

(*1*) Pennzoil Products Company (Rouseville)—(PA–61–016) effective

September 8, 1995, except for condition Nos. 9 pertaining to non-VOC and non-NO_X pollutants and expiration date of the plan approval.

(ii) Additional Material.

(A) Remainder of the Commonwealth of Pennsylvania's December 8, 1995 submittal.

(B) Additional material submitted by Pennsylvania dated May 23, 1997, providing clarifying information related to Pennzoil Products Company plan approval.

[FR Doc. 97–15102 Filed 6–10–97; 8:45 am]

BILLING CODE 6560–50–P

GENERAL SERVICES ADMINISTRATION

41 CFR Part 101–38

[FPMR Amendment G–111]

RIN 3090–AG26

Motor Vehicles

AGENCY: Office of Governmentwide Policy, GSA.

ACTION: Final rule; correction.

SUMMARY: This document contains corrections to a final rule published in the **Federal Register** on Friday, January 3, 1997, 62 FR 322. FPMR Amendment G–111, which governs the management of motor vehicles.

EFFECTIVE DATE: January 3, 1997.

FOR FURTHER INFORMATION CONTACT: Sharon A. Kiser, Federal Acquisition Policy Division (202–501–216).

SUPPLEMENTARY INFORMATION: In rule document 97–52 appearing at 62 FR 322, GSA revised Part 101–38. This document corrects three errors.

Corrections

§ 101.38 [Corrected]

1. On page 324, second column, "**PART 101–38—MOTOR EQUIPMENT MANAGEMENT**" is corrected to read "**PART 101–38—MOTOR VEHICLE MANAGEMENT.**"

2. On page 325, the table in 101–38.104(b)(3) is corrected by adding the following footnotes.

"1 Established by section 502 of the Motor Vehicle Information and Cost Savings Act (89 Stat. 902, 15 U.S.C. 2002) and the Secretary of Transportation.

2 Established by the Secretary of Transportation and mandated by Executive Order 12003 through fiscal year 1981 and by Executive Order 12375 beginning in fiscal year 1982.

3 Fleet average fuel economy for light trucks is the combined fleet average fuel economy for all 4x2 and 4x4 light trucks.

4 Requirements not yet established by the Secretary of Transportation."

3. On page 328, first column, instruction 13 is corrected to read "13. Section 101–38.401–1 is amended by removing the introductory text, removing paragraph (b), redesignating paragraph (c) as paragraph (b), and revising paragraph (a) introductory text to read as follows:"

Dated: June 5, 1997.

Sharon A. Kiser,

FAR Secretariat.

[FR Doc. 97–15229 Filed 6–10–97; 8:45 am]

BILLING CODE 6820–34–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018–AC52

Endangered and Threatened Wildlife and Plants; Determination of Threatened Status for Castilleja levisecta (Golden Paintbrush)

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: The U.S. Fish and Wildlife Service (Service) determines threatened status pursuant to the Endangered Species Act of 1973, as amended (Act), for the plant *Castilleja levisecta* (golden paintbrush). This species once occurred from Oregon to Vancouver Island in British Columbia, Canada. Ten populations of this plant now exist in open grasslands ranging from south of Olympia in Thurston County, Washington, north through the Puget Trough to southwest British Columbia, Canada. Threats to the species include competition with encroaching native and non-native plant species; habitat modification through succession in the absence of fire; and grazing by herbivores. Direct human-caused threats include conversion of habitat for residential and commercial development, conversion to agriculture, and possible damage associated with road maintenance. This rule implements the Federal protections afforded by the Act for this plant.

EFFECTIVE DATE: July 11, 1997.

ADDRESSES: The complete file for this rule is available for inspection, by appointment, during normal business hours at the Western Washington Office, North Pacific Coast Ecoregion, U.S. Fish and Wildlife Service, 510 Desmond Drive S.E., Suite 101, Lacey, Washington 98503–1273.

FOR FURTHER INFORMATION CONTACT: Dave Frederick, Supervisor, at the above Lacey address (telephone 360/753–9440).

SUPPLEMENTARY INFORMATION:

Background

Castilleja levisecta (golden paintbrush) was first collected near Mill Plain, Washington, by Thomas Jefferson Howell in 1880 and was described by Jesse More Greenman in 1898 (Greenman 1898). A perennial herb of the figwort family (Scrophulariaceae), *C. levisecta* typically has 1 to 15 erect to spreading unbranched stems, reaches a height of 30 centimeters (cm) (12 inches (in)), and is covered with soft, sticky hairs. The lower leaves are entire and narrowly pointed; the upper leaves are broader, usually with one to three pairs of short lateral lobes on the distal end. The flower, mostly hidden by the overlapping bracts, has a calyx 15 to 18 millimeters (mm) (0.6 to 0.7 in) long and deeply cleft, and a corolla 20 to 23 mm (0.8 to 0.9 in) long, with a slender galea (concave upper lip) three to four times the length of the unpouched lower lip (Hitchcock and Cronquist 1973). It is distinguished from the other *Castilleja* species within its range by brilliant golden to yellow floral bracts. The plant flowers from April to June. When not flowering, the plant is less conspicuous. The species may be semi-parasitic like other members of the genus *Castilleja*, possibly requiring a host plant for seedling development in its native habitat (Heckard 1962, Sheehan and Sprague 1984). However, greenhouse experiments indicate it does not require a host to survive and flower (Wentworth 1994).

The plant tends to grow in clumps. One genetic individual may consist of 1 to 15 stems, making the determination of exact numbers of individual plants in the field difficult. The number of stems per plant varies site to site. In addition, researchers have used a variety of census methods over the years. Therefore, population estimates can vary and a consistent approach is needed. Experimentally designed sampling surveys have been conducted where individual plants were tagged and counted (Wentworth 1994). Year to year variation in population densities can be high (G. Douglas, Conservation Data Center, British Columbia Ministry of Environment, Lands and Parks, pers. comm. 1996; Wentworth 1994).

Castilleja levisecta occurs in open grasslands at elevations below 100 meters (m) (328 feet (ft)) around the periphery of the Puget Trough. Most populations occur on glacially derived soils, either gravelly glacial outwash or clayey glacio-lacustrine sediments