sections 503 and 505 of SMCRA (30 U.S.C. 1253 and 1255) and 30 CFR 730.11, 732.15, and 732.17(h)(10), decisions on proposed State regulatory programs and program amendments submitted by the States must be based solely on a determination of whether the submittal is consistent with SMCRA and its implementing Federal regulations and whether the other requirements of 30 CFR Parts 730, 731, and 732 have been met.

National Environmental Policy Act

No environmental impact statement is required for this rule since section 702(d) of SMCRA (30 U.S.C. 1292(d)) provides that agency decisions on proposed State regulatory program provisions do not constitute major Federal actions within the meaning of section 102(2)(C) of the National Environmental Policy Act (42 U.S.C. 4332(2)(C)).

Paperwork Reduction Act

This rule does not contain information collection requirements that require approval by OMB under the Paperwork Reduction Act (44 U.S.C. 3507 *et seq.*).

Regulatory Flexibility Act

The Department of the Interior has determined that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). The State submittal which is the subject of this rule is based upon corresponding Federal regulations for which an economic analysis was prepared and certification made that such regulations would not have a significant economic effect upon a substantial number of small entities. Accordingly, this rule will ensure that existing requirements previously promulgated by OSM will be implemented by the State. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions for the corresponding Federal regulations.

Unfunded Mandates

OSM has determined and certifies pursuant to the Unfunded Mandates Reform Act (2 U.S.C. 1502 *et seq.*) that this rule will not impose a cost of $100 million or more in any given year on local, state, or tribal governments or private entities.

List of Subjects in 30 CFR Part 943

Intergovernmental relations, Surface mining, Underground mining.

Dated: May 22, 1998.

Brent Wahlquist,

Regional Director, Mid-Continent Regional Coordinating Center.

For the reasons set out in the preamble, 30 CFR part 943 is amended as set forth below:

PART 943—TEXAS

1. The authority citation for Part 943 continues to read as follows:

Authority: 30 U.S.C. 1201 *et seq.*

2. Section 943.15 is amended in the table by adding a new entry in chronological order by ''Date of final publication'' to read as follows:

§ 943.15 Approval of Texas regulatory program amendments.

* * * * *

Original amendment submission date	Date of final publication	Citation/description
*	*	*
December 1, 1997	June 8, 1998	16 TAC 12.3; 12.201(d)(5); 12.237(2), (2)(B) and (C); 12.243(a), (a)(4) and (5); 12.309(1); 12.312(a) and (b); 12.313(a), (b), (d), and (f); 12.387; 12.388.

[FR Doc. 98–15241 Filed 6–5–98; 8:45 am]

BILLING CODE 4310–05–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[SIPTRAX NO. PA110–4068a; FRL–6102–9]

Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Gasoline Volatility Requirements for the Pittsburgh-Beaver Valley Ozone Nonattainment Area

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 amends the gasoline volatility requirement for the Pittsburgh-Beaver Valley nonattainment area. The intended effect of this action is to approve a summertime gasoline Reid vapor pressure (RVP) limit of 7.8 pounds per square inch (psi) for gasoline sold in Allegheny, Armstrong, Beaver, Butler, Fayette, Washington, and Westmoreland counties in Pennsylvania. These seven counties comprise the Pittsburgh-Beaver Valley ozone nonattainment area.

DATES: This final rule will become effective July 23, 1998 without further notification unless the Agency receives relevant adverse comments by July 8, 1998. If adverse comment is received, EPA will publish a timely withdrawal of the rule in the **Federal Register**.

ADDRESSES: Comments may be mailed to David Arnold, Chief, Ozone and Mobile Source Section, Mailcode 3AP21, 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 Protection Division, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107; Pennsylvania Department of Environmental Protection, Bureau of Air Quality, P.O. Box 8468, 400 Market Street, Harrisburg, Pennsylvania 17105.

FOR FURTHER INFORMATION CONTACT: Marcia L. Spink at (215) 566–2104.

SUPPLEMENTARY INFORMATION: On December 3, 1997, the Commonwealth of Pennsylvania submitted a formal revision to its State Implementation Plan (SIP). The SIP revision amends the gasoline volatility requirement for the seven county Pittsburgh-Beaver Valley ozone nonattainment area (the Pittsburgh area). On April 17, 1998 the Commonwealth of Pennsylvania revised its December 3, 1997 SIP revision request by deleting the provisions relating to the use of reformulated gasoline (RFG).

I. Background

In July 1995, EPA determined that the air quality of the Pittsburgh area met the national ambient air quality standard

(NAAQS) for ozone based upon 1991 through 1994 monitoring data. (**Note:** That this determination by EPA did not constitute an agency action to redesignate the Pittsburgh area to attainment.) Therefore, under an EPA policy applicable to ozone areas with three years of violation free data, the requirement for an attainment demonstration and other related requirements were waived for the Pittsburgh area. However, subsequent to EPA's determination, there were a number of exceedances in the 1995 ozone season that resulted in a violation of the ozone NAAQS, and the previously waived requirements, including the need for an attainment demonstration, were reinstated. In response to the violation of the NAAQS in the Pittsburgh area, Pennsylvania Governor Thomas Ridge convened the Southwestern Pennsylvania Stakeholder Working Group to review the problem and recommend additional emission control strategies to reduce ozone precursors and produce the required attainment demonstration.

One of the measures the Southwestern Pennsylvania Stakeholder Working Group (the Stakeholders) recommended as necessary to achieve the ozone standard in the Pittsburgh area was a fuels program for cleaner gasoline. There was much debate during the Stakeholders' deliberations as to whether the Group should recommend the adoption of a lower RVP program or whether the Governor should opt the moderate Pittsburgh ozone nonattainment area into the federal RFG program, which is mandated for ozone nonattainment areas classified as serious or above. (The federal RFG program is mandated, for example, in the Philadelphia-Wilmington-Trenton severe ozone nonattainment area.) The Stakeholders' eventual majority recommendation was for a so-called ''dual fuel rule'' for the Pittsburgh area whereby either low RVP or RFG could be used to provide for market driven considerations. (There was a minority opinion issued by some Stakeholders who felt compelled to represent their constituencies by ''going on record'' that they recommended the federal RFG program.) Under the dual fuel scenario, however, it is important to recognize that any RFG distributed and sold in the Pittsburgh area would not have been required by and enforceable under the federal RFG program. The Pennsylvania Department of Environmental Protection (PADEP), in accordance with the Stakeholders' majority recommendation, proceeded to adopt a dual fuel regulation for the Pittsburgh area, and on December 3, 1997 submitted that regulation to EPA as a SIP revision.

After PADEP adopted the dual fuel regulation and submitted it as a SIP revision, however, the dual fuel regulation became an issue of concern and debate in the Pennsylvania legislature. While concerns were raised over both low RVP gasoline and RFG, there was an understanding that a clean fuels program was an ozone precursor reduction measure that the Stakeholders had recommended as both cost-effective and necessary for timely attainment of the NAAQS for ozone in the Pittsburgh area. Moreover, the attainment demonstration submitted by PADEP to satisfy the reinstated requirement that such a demonstration be submitted for the Pittsburgh area by December 31, 1997, took credit for the reductions predicted to be achieved by the implementation of the clean fuels program. Modeling analyses performed during the Stakeholders process indicated that there was very little difference between low RVP gasoline and RFG as control strategies in terms of their effectiveness in lowering predicted ground level ozone concentrations. In fact, the modeling analyses performed for the actual attainment demonstration assumed the level of emission reductions that would occur if the low RVP program were to be implemented.

In order to move forward with the implementation of a clean gasoline program in the Pittsburgh area in time to realize its public health benefits for the 1998 ozone season, the PADEP informed the legislature that it would amend the dual fuel regulations to remove the RFG provisions and that low RVP gasoline would be the ''complying fuel'' for the Pittsburgh area. On April 17, 1998, Pennsylvania amended its December 3, 1997 SIP revision request to EPA by asking that only the low RVP-related provisions of its regulations be approved into the SIP for the Pittsburgh area.

This low RVP program adds new regulations to the Pennsylvania SIP for the Pittsburgh area. These new regulations apply to the sale of gasoline in the Pittsburgh area between May 1 and September 15 of each calendar year. The regulation imposes a RVP limit of 7.8 pounds per square inch (psi) on all gasoline marketed in Allegheny, Armstrong, Beaver, Butler, Fayette, Washington, and Westmoreland counties. The restrictions on fuel would be effective between May 1 and September 15 of each year beginning in calender year 1998 for all refiners, distributors, resellers, carriers, and wholesalers. The restrictions would be applicable between June 1 and September 15 of each year for all wholesale purchaser consumers and retailers of gasoline.

RVP is a measure of a fuel's volatility and thereby affects the rate at which gasoline evaporates and emits VOCs. The lower a fuel's RVP, the lower the rate of evaporation of the fuel. The RVP of gasoline can be lowered by reducing the amount of its volatile components, such as butane. Lowering RVP of gasoline sold during the summer months can offset the effect of summer temperature upon the evaporation of the fuel, which in turn lowers emissions of VOCs. Because VOCs are a component in the formation of ground-level ozone on sunny, hot summer days, lowering the RVP of gasoline sold in the Pittsburgh area is an effective ozone control strategy because it will reduce the VOC emissions from gasoline marketing and from vehicles.

The EPA first proposed to regulate gasoline RVP in 1987 (52 FR 31274). The EPA's gasoline RVP proposal resulted in a two-phased final regulation which was in large part incorporated into the 1990 Amendments to the CAA in section 211(h). Phase I of the federal regulation took effect in 1990 (54 FR 11868) for the years 1990 and 1991. Phase II of the regulation became effective in 1992 (55 FR 23658). This federal rule divides the continental United States into two control regions, Class B and Class C. Generally speaking, the Class B states are the warmer southern and western states, and Class C states are the cooler northern states. The Phase II federal regulation limits the volatility of gasoline sold during the high ozone season to 9.0 psi for Class C areas and 7.8 psi for Class B ozone non-attainment areas. Pennsylvania is a Class C State, and therefore, required under the Federal rule to meet the 9.0 psi standard. Therefore, in order to approve the Commonwealth's SIP revision, EPA must find under section 211(c)(4)(C) of the CAA that the state's requirement is necessary for the Pittsburgh area to meet the ozone NAAQS.

II. Summary and Approval of SIP Revision

State governments are preempted under section 211(c)(4)(A) of the CAA from prescribing a control respecting a fuel characteristic or component that is not identical to a federal control promulgated under section 211(c)(1) that is applicable to the same characteristic or component. However, under section 211(c)(4)(C) a State can require, through a SIP revision, a more stringent RVP standard for a particular

area if the EPA finds that the more stringent standard is necessary to achieve the NAAQS for ozone and approves the SIP revision. In addition to demonstrating necessity under section 211(c)(4)(C), under section 110 the State must also submit an adequate description of the low RVP program and associated enforcement procedures. If EPA finds that a State has shown necessity and has provided an adequate description of the program, EPA may approve the SIP revision requiring the lower state RVP standard for the selected areas.

A. Approval of Pennsylvania's Preempted State Fuel Control Program

Pennsylvania has submitted to EPA data and analysis to support a finding under section 211(c)(4)(C) that its low RVP requirement is necessary for the Pittsburgh nonattainment area to achieve the ozone NAAQS. The Commonwealth has (1) identified the quantity of reductions of VOCs needed to achieve attainment of the ozone NAAQS; (2) identified all other control measures and the quantity of reductions each would achieve; and (3) shown that even with the implementation of all reasonable and practicable control measures, the additional emissions from the low RVP program are needed for the Pittsburgh area to meet the ozone NAAQS on a timely basis.

Pennsylvania submitted analyses to EPA demonstrating the necessity for the low RVP requirement as part of the attainment demonstration SIP revision it submitted for the Pittsburgh area. The Commonwealth's submission used Urban Airshed Modeling to estimate the quantity of emissions of VOCs necessary to achieve the ozone NAAQS.

Next, the Stakeholders evaluated a broad range of potential control measures to determine whether there are sufficient reasonable and practicable measures available to produce the needed emissions reductions without requiring low RVP gasoline. In addition to assessing the quantity of emission reductions attributable to each control measure, the state also considered the time needed for implementations and cost effectiveness of each measure in evaluating the reasonableness of the other control measures in comparison to the low RVP gasoline requirements. Pennsylvania found that a 7.8 psi RVP requirement would produce an estimated 13.12 tons per day of VOC emissions reductions. Based on the Commonwealth's evaluation, EPA finds that there are not sufficient other reasonable and practicable measures available to produce the quantity of emissions reductions needed to achieve the NAAQS for ozone, and thus a low RVP requirement is necessary.

The EPA concurs with the Commonwealth's analysis and its implicit determination that ''other measures'' (as specified in section 211(c)(4)) need not encompass other state fuel measures including state opt-in to RFG. The EPA believes that the CAA does not require a state to demonstrate that other fuel measures are unreasonable or impracticable, but rather section 211(c)(4) is intended to ensure that a state resorts to a fuel measure only if there are no available, practicable, and reasonable non-fuels measures. Thus, in demonstrating that measures other than requiring low RVP gasoline are unreasonable or impracticable, a state is not required to submit a demonstration that other state fuel requirements or state opt-in to RFG are unreasonable or impracticable. This interpretation resolves the ambiguity of the phrase ''other measures'' and reasonably balances the interests underlying the statutory preemption provision. In addition, the result preserves the state's role, specified in section 101(a)(3) of the CAA as the entity primarily responsible for determining the mix of controls to be used to achieve the required emission reductions. The Commonwealth has already adopted virtually every other available control measure it could practically implement in the Pittsburgh area. The other measures that have been adopted to reduce ozone precursor emissions, (such as enhanced Inspection and Maintenance, Stage II Vapor Recovery, Phase II of the NOx reduction requirements implemented pursuant to the Ozone Transport Region's Memorandum of Understanding, reasonably available control technology on numerous source categories) would not achieve all the reductions needed. A detailed discussion of Pennsylvania's evaluation relative to the emission reduction potential of each of these measures can be found as an attachment to EPA's Technical Support Document (TSD) prepared for this rulemaking. Copies of TSD are available, upon request, from the Regional Office listed in the **ADDRESSES** of this document.

B. Description of Pennsylvania Low RVP Program

The Pennsylvania submittal specifies that the gasoline distributed in Allegheny, Armstrong, Beaver, Butler, Fayette, Washington, and Westmoreland counties at the retail level must meet a RVP standard of 7.8 psi or less per gallon between May 1 and September 1 of each calendar year for all refiners, distributors, resellers, carriers, and wholesalers. The restrictions would be applicable between June 1 and September 15 of each year for all wholesale purchaser consumers and retailers of gasoline. In order for the seven county area to meet the 7.8 psi standard in calendar year 1998, the requirement will be effective for all entities as well as wholesale purchaser consumers and retailers on July 23, 1998. Because the State has satisfied all the program description elements, EPA has determined the Commonwealth's low RVP program for the Pittsburgh area meets all applicable federal requirements for approval as a SIP revision.

To ensure enforcement of the program, each entity in the gasoline dispensing network, beginning with the terminal owner, is required to maintain records of the date, name and address of transferor and transferee, the location and volume of gasoline being sold or transferred, and a statement certifying that the gasoline meets the RVP requirement. The PADEP will conduct enforcement of the program. Sampling will be performed in accordance with the procedures described by EPA in its gasoline volatility regulations in 40 CFR part 80, Appendix D. Gasoline volatility tests will be performed following procedures described by EPA in 40 CFR part 80, Appendix E.

EPA is approving this rule without prior proposal because it anticipates no adverse comments and believes that expedited approval of the low RVP program so it is implemented for the 1998 ozone season is in the best interest of the citizens of the area from a public health perspective. However, in the proposed rules section of this **Federal Register** publication, EPA is publishing a separate document that will serve as the proposal to approve the SIP revision should EPA receive relevant adverse comments on the notice of proposed rulemaking. This rule will become effective July 23, 1998 without further notice unless the Agency receives relevant adverse comments by July 8, 1998.

Should EPA receive such comments, it will publish a notice informing the public that this rule did not take effect. All public comments received will then be addressed in a subsequent final rule based on the proposed rule. EPA will not institute a second comment period on the proposed rule. 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 rule will become effective on July 23, 1998 and no further action will be taken on the proposed rule.

Final Action

EPA is approving as a revision to the Pennsylvania SIP, the provisions of Pennsylvania's regulations pertaining to low RVP gasoline requirements for the Pittsburgh-Beaver Valley ozone nonattainment area submitted by the Pennsylvania Department of Environmental Protection on December 3, 1997 and April 17, 1998. Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for 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.

III. Administrative Requirements

A. Executive Order 12866

The Office of Management and Budget (OMB) has exempted this regulatory action from E.O. 12866.

B. Regulatory Flexibility

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. This federal action authorizes and approves into the Pennsylvania SIP requirements previously adopted by the state, and imposes no new requirements. Therefore, EPA 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 the private sector, of $100 million or more in any one year. 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 this final 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 authorizes and approves into the Pennsylvania SIP requirements previously adopted by the State, 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

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit 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 United States prior to publication of the rule in the **Federal Register**. This rule is not a ''major rule'' as defined by 5 U.S.C. 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 August 7, 1998. 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 low RVP gasoline volatility requirements for the Pittsburgh-Beaver Valley ozone nonattainment area, may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

F. Executive Order 13045

Protection of Children from Environmental Health Risks and Safety Risks. Executive Order 13045 (62 FR 19885, April 23, 1997), applies to any rule that is (1) likely to be ''economically significant'' as defined under Executive Order 12866, and (2) the Agency has reason to believe that the environmental health or safety risk addressed by the rule may have a disproportionate effect on children. If a regulatory action meets both criteria, the Agency must evaluate the environmental health or safety effects of the planned rule on children, and explain why the planned regulation is preferable to other potentially effective and reasonably feasible alternatives considered by the Agency.

This rule is not subject to E.O. 13045, ''Protection of Children from Environmental Health Risks and Safety Risks'' because this is not an ''economically significant'' regulatory action as defined by E.O. 12866, and because it does not involve decisions on environmental health or safety risks that may disproportionately affect children.

List of Subjects in 40 CFR Part 52

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

Dated: May 15, 1998.

A.R. Morris,

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 et seq.

Subpart NN—Pennsylvania

2. Section 52.2020 is amended by adding paragraph (c)(131) to read as follows:

§ 52.2020 Identification of plan.

* * * * *

(c) * * *

(131) Revisions to the Pennsylvania Regulations governing gasoline volatility requirements submitted on December 3, 1997 and April 17, 1998 by the Pennsylvania Department of Environmental Protection:

(i) Incorporation by reference.

(A) Letters dated December 3, 1997 and April 17, 1998 from the Pennsylvania Department of Environmental Protection transmitting the low RVP gasoline volatility

requirements for the Pittsburgh-Beaver Valley ozone nonattainment area.

(B) Revisions to 25 Pa Code, Chapters 121, 126, 139 pertaining to Gasoline Volatility Requirements, effective November 1, 1997.

(*1*) Revisions to section 121.1—definitions of compliant fuel, distributor, Importer, Low RVP gasoline, Pittsburgh-Beaver Valley Area, RVP-Reid Vapor Pressure.

(*2*) Addition of sections 126.301(a) through (c), 126.302 except for portions relating to RFG of (a)(6), and 126.303 (a).

(*3*) Addition of paragraphs 139.4(18) and (19) pertaining to sampling procedures for Reid Vapor Pressure and gasoline volatility.

(ii) Additional Material—Remainder of December 3, 1997 State submittal pertaining to the use of low RVP gasoline.

[FR Doc. 98–15023 Filed 6–5–98; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[TN–184–1–(9812)a; TN–199–1–(9813)a; FRL–6104–1]

Approval and Promulgation of Implementation Plans; Tennessee: Approval of Revisions to the Knox County Portion of the Tennessee SIP Regarding Volatile Organic Compounds (VOCs) and Process Particulate Emissions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is approving revisions to section 19.2 and section 46.2.A.34 of the Knox County portion of the Tennessee State Implementation Plan (SIP) which were submitted to EPA through the Tennessee Department of Air Pollution Control (TDAPC), on December 24, 1996 and June 18, 1997. Section 19.2 is revised to include terminology which more clearly defines the subject matter of this section: process particulate emissions. Section 46.2.A.34 is revised to incorporate by reference the definition for volatile organic compounds (VOCs) contained in 40 CFR part 51, subpart F.

DATES: This final rule is effective August 7, 1998 unless adverse or critical comments are received by July 8, 1998. If adverse comment is received, EPA will publish a timely withdrawal of the rule in the **Federal Register**.

ADDRESSES: Written comments on this action should be addressed to Allison Humphris at the Environmental Protection Agency, Region 4 Air Planning Branch, 61 Forsyth Street, SW, Atlanta, Georgia 30303. 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 TN184–01–9812 and TN199–01–9813. 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, telephone (202) 260–7549. Environmental Protection Agency, Region 4 Air Planning Branch, 61 Forsyth Street, SW, Atlanta, Georgia 30303. Allison Humphris, 404/562–9030. 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.

Knox County Department of Air Pollution Control, City-County Building, Suite 339, 400 West Main Street, Knoxville, Tennessee, 37902. 423/215–2488

FOR FURTHER INFORMATION CONTACT: Allison Humphris at 404/562–9030.

SUPPLEMENTARY INFORMATION: The EPA is approving revisions to sections 19.2 and 46.2.A.34 of the Knoxville regulations. Section 19.2 is revised to include terminology which more clearly defines the subject matter of this section: process particulate emissions. Section 46.2.A.34 is revised to incorporate by reference the definition for volatile organic compounds (VOCs) contained in 40 CFR part 51, subpart F.

Section 19.2, ''Process Emissions''

This section was revised by changing all references of ''process emissions'' to ''process particulate emissions.'' The change was made for clarity and to be consistent with the language in section 18.2, ''Non-Process Particulate Emissions.''

Section 46.2.A.34, ''Volatile Organic Compound (VOC)''

The definition of ''volatile organic compound'' was revised to incorporate by reference the definition contained in 40 CFR part 51, subpart F. EPA exempted acetone (per 60 FR 31633—June 16, 1995), perchloroethylene (per 61 FR 4588—February 7, 1996), and hydrofluorocarbon (HFC) 43–10mee, hydrochlorofluorocarbon (HCFC) 225ca and cb (all per 61 FR 52848—October 8, 1996) from regulation as VOCs due to the determination that these compounds have negligible photochemical reactivity and do not significantly contribute to the formation of ozone.

Final Action

The Agency has reviewed this request for revision of the Federally-approved State implementation plan for conformance with the provisions of the Clean Air Act amendments enacted on November 15, 1990. The Agency has determined that this action conforms with those requirements. EPA is publishing this rule without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. However, in the proposed rules section of this **Federal Register** publication, EPA is publishing a separate document that will serve as the proposal to approve the SIP revision should relevant adverse comments be filed. This rule will be effective August 7, 1998 without further notice unless the Agency receives relevant adverse comments by July 8, 1998. If the EPA receives such comments, then EPA will publish a notice withdrawing the final rule and informing the public that the rule did not take effect. All public comments received will then be addressed in a subsequent final rule based on the proposed rule. The EPA will not institute a second comment period on the proposed rule. Any parties interested in commenting on the proposed rule should do so at this time. If no such comments are received, the public is advised that this rule will be effective on August 7, 1998 and no further action will be taken on the proposed rule.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for 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.

Administrative Requirements

A. Executive Order 12866

The Office of Management and Budget (OMB) has exempted this regulatory action from E.O. 12866 review.