

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 52**

[CA 211-0127c; FRL-6356-1]

Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision; El Dorado County Air Pollution Control District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; correction.

SUMMARY: This action redesignates the number of a paragraph in Title 40 of the Code of Federal Regulations that appeared in a direct final rule published in the **Federal Register** on March 30, 1999.

EFFECTIVE DATE: This action is effective on June 8, 1999.

FOR FURTHER INFORMATION CONTACT: Julie A. Rose, Rulemaking Office, Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105, Telephone: (415) 744-1184.

SUPPLEMENTARY INFORMATION: On March 30, 1999 at 64 FR 15129, EPA published a direct final rulemaking action approving El Dorado County Air Pollution Control District (EDCAPCD), Rule 239 of the California State Implementation Plan (SIP). This action contained amendments to 40 CFR part 52, subpart F. The amendments which incorporated material by reference into § 52.220, Identification of plan, paragraph (c)(256)(i)(D) are being redesignated as (c)(256)(i)(E) in this action.

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a "significant regulatory action" and, is therefore not subject to review by the Office of Management and Budget. In addition, this action does not impose any enforceable duty or contain any unfunded mandate as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4), or require prior consultation with State officials as specified by Executive Order 12875 (58 FR 58093, October 28, 1993), or involve special consideration of environmental justice related issues as required by Executive Order 12898 (59 FR 7629, February 16, 1994).

Because this action is not subject to notice-and-comment requirements under the Administrative Procedure Act or any other statute, it is not subject to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

Under 5 U.S.C. 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. 804(2).

List of Subjects in 40 CFR Part 52

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

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

Dated: May 25, 1999.

Laura Yoshii,

Acting Regional Administrator, Region IX.

Part 52, chapter I, title 40 of the Code of Federal Regulations 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 F—California

2. Section 52.220 is amended by redesignating paragraph (c)(256)(i)(D) as (c)(256)(i)(E).

[FR Doc. 99-14352 Filed 6-7-99; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 52**

[PA 122-4086; FRL-6355-2]

Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Enhanced Inspection and Maintenance Program Network Effectiveness Demonstration

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is approving a State Implementation Plan (SIP) revision supplement submitted by the Commonwealth of Pennsylvania on August 21, 1998. This supplement consists of a demonstration of the effectiveness of the Pennsylvania SIP's enhanced motor vehicle emissions

inspection and maintenance (I/M) program.

It includes a demonstration of the effectiveness of Pennsylvania's I/M testing network to satisfy the requirements of the National Highway Systems Designation Act of 1995 (NHSDA). The effect of this action is to approve the Commonwealth's demonstration of the effectiveness of its I/M program testing network, and to remove all *de minimus* conditions related to EPA's approval of Pennsylvania's program under the NHSDA. There is one remaining major condition of EPA's January 28, 1997 approval of Pennsylvania's I/M program related to the methodology for conducting on-going evaluation of the enhanced I/M program. Pennsylvania addressed that condition in a separate SIP submittal made to EPA on November 26, 1998. EPA will take separate action upon that submittal.

EFFECTIVE DATE: This final rule is effective on July 8, 1999.

ADDRESSES: 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, 1650 Arch Street, Philadelphia, Pennsylvania 19103; and at the Pennsylvania Department of Environmental Protection, Bureau of Air Quality, P.O. Box 8468, 400 Market Street, Harrisburg, Pennsylvania 17105.

FOR FURTHER INFORMATION CONTACT: Brian Rehn, (215) 814-2176, or via e-mail at Rehn.Brian@epamail.epa.gov.

SUPPLEMENTARY INFORMATION:

I. Background

On September 16, 1998, EPA published a notice of direct final rulemaking (DFR) to approve the Commonwealth of Pennsylvania's August 21, 1998 I/M program SIP supplement (see 63 FR 49436). Pennsylvania's August 21, 1998 SIP supplement included the Commonwealth's enhanced I/M program network effectiveness demonstration, as required by the NHSDA. It also addressed seven *de minimus* I/M program deficiencies EPA identified in its January 28, 1997 interim conditional approval of Pennsylvania's I/M program SIP (see 62 FR 4004).

Opportunity for comment was provided, however, as EPA also published a proposed rule (63 FR 49517) in the same volume of the **Federal Register** in which the DFR appeared, proposing to approve the Commonwealth's August 21, 1998 SIP submission. The preamble of the DFR