

HOUMA
YTB 826

ii. Amending the entry for USS KAMEHAMEHA by revising "SSBN 642" to read "SSN 642" and adding it immediately preceding the entry for USS PARCHE.

d. In Table Four by:

i. Amending paragraph 4 by removing the following entries from the table:

USS IMPLICIT
USS CONQUEST
USS GALLANT
USS PLEDGE

ii. Removing and reserving paragraph 6;

iii. Removing the following entries from paragraph 7:

USS OLIVER HAZARD PERRY
USS WADSWORTH
USS DUNCAN
USS CLIFTON SPRAGUE
USS ANTRIM
USS FLATLEY
USS FAHRION
USS LEWIS B. PULLER
USS JACK WILLIAMS
USS COPELAND
USS GALLERY
USS MAHLON S. TISDALE
USS REID
USS STARK
USS AUBREY FITCH

iv. Removing the following entries from paragraph 8:

USS OLIVER HAZARD PERRY
USS WADSWORTH
USS DUNCAN
USS CLIFTON SPRAGUE
USS ANTRIM
USS FLATLEY
USS FAHRION
USS LEWIS B. PULLER
USS JACK WILLIAMS
USS COPELAND
USS GALLERY
USS MAHLON S. TISDALE
USS REID
USS STARK
USS AUBREY FITCH

v. Removing and reserving paragraph 10;

vi. Removing the following entries from paragraph 14:

YTB 752
YTB 757
YTB 758
YTB 780
YTB 785
YTB 788
YTB 799
YTB 801
YTB 811
YTB 826

vii. Removing the second entry for USS PORTER in paragraph 16; and

viii. Removing the entry for KING-FISHER in paragraph 18.

e. In Table Five by:

i. Removing the entries for the following vessels:

USS SURIBACHI
USS MAUNA KEA
USS NITRO
USS PYRO
USS MARS
USS SYLVANIA
USS WHITE PLAINS
USS SAN DIEGO
USS DALE
USS RICHMOND K. TURNER
USS BELKNAP
USS LONG BEACH
USS BAINBRIDGE
USS TRUXTUN
USS CALIFORNIA
USS SOUTH CAROLINA
USS MISSISSIPPI
USS ARKANSAS
USS FORRESTAL
USS SARATOGA
USS INDEPENDENCE
USS COMTE DE GRASSE
USS MERRILL
USS CONOLLY
USS JOHN RODGERS
USS LEFTWICH
USS HARRY W. HILL
USS INGERSOLL
USS KIDD

The second entry for USS PORTER

USS CALLAGHAN
USS SCOTT
USS CHANDLER
USS ELK RIVER
USS GUADALCANAL
USS GUAM
USS NEW ORLEANS
USS ALAMO
USS HERMITAGE
USS PENSACOLA
USS FORT FISHER
USS SAGINAW
USS SPARTANBURG COUNTY
USS FAIRFAX COUNTY
USS BRISTOL COUNTY

ii. Amending the entry for USS INCHON by revising "LPH 12" to read "MCS 12" and adding it immediately preceding the entry for USNS KILAUEA.

3. Table One of § 706.3 is amended by removing the following entries:

USNS RANGE SENTINEL (T-AGM-22)
T-AGS 33 Class
USNS ALBERT J. MYER (T-ARC 6)
ARS 6 Class
ARS 38 Class
ASR 7 Class
ASR 21 Class
ATF 148 Class
ATS 1 Class
FF 1037 Class
USS GLOVER (FF 1098)
FFG 1 Class
MSO 422 Class

MSO 508 Class
PG 92 Class
SSBN 616 Class
SSBN 627 Class
SSBN 640 Class

Dated: December 8, 2000.

J.L. Roth,

Commander, JAGC, U.S. Navy, Federal Register Liaison Officer.

[FR Doc. 00-32209 Filed 12-19-00; 8:45 am]

BILLING CODE 3810-FF-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[AZ 063-0020a; FRL-6839-9]

Approval and Promulgation of Implementation Plans; Arizona State Implementation Plan Revision, Pinal County Air Quality Control District and Pinal-Gila Counties Air Quality Control District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is taking direct final action to approve revisions to the Arizona State Implementation Plan (SIP). The revisions are rules from the Pinal County Air Quality Control District (PCAQCD). These rules were submitted by the State on behalf of the PCAQCD to provide support for general permitting requirements for stationary sources in the PCAQCD.

This action will clarify which PCAQCD rules were incorporated into the federally approved SIP on April 9, 1996 (61 FR 15717). This action will also remove inappropriate PCAQCD and Pinal-Gila Counties Air Quality Control District (PGCAQCD) rules from the SIP. Thus, EPA is approving this action on general permitting rules in the Arizona SIP under provisions of the CAA regarding EPA action on SIP submittals, SIPs for national primary and secondary ambient air quality standards, and plan requirements for maintenance attainment areas.

DATES: This rule is effective on February 20, 2001 without further notice, unless EPA receives adverse comments by January 19, 2001. If EPA receives such comment, it will publish a timely withdrawal in the **Federal Register** informing the public that EPA's approval of this rule will not take effect.

ADDRESSES: Comments must be submitted in writing to Andrew Steckel at the Region IX mailing address listed below. Copies of the rules and EPA's evaluation report are available for

public inspection at EPA's Region IX office during normal business hours. Copies of the submitted rules are available for inspection at the following locations:

Rulemaking Office, (AIR-4), Air Division, Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105.
Environmental Protection Agency, Air Docket (6102), Ariel Rios Building, 1200 Pennsylvania Avenue, NW., Washington, DC 20460.
Arizona Department of Environmental Quality, 3033 North Central Avenue, Phoenix, AZ 85012.
Pinal County Air Quality Control District, Building F, 31 North Pinal Street, (P. O. Box 987), Florence, AZ 85232.

FOR FURTHER INFORMATION CONTACT: Al Petersen, Rulemaking Office, (AIR-4), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105, Telephone: (415) 744-1135.

SUPPLEMENTARY INFORMATION:

I. Applicability

The rules that were previously approved into the PCAQCD¹ portion of the Arizona SIP are listed below in section III. The rules being removed from the SIP are PCAQCD Rules 1-1-050, 1-1-055, 1-1-105, and 3-1-080 and PGCAQCD Rules 7-1-2.2, 7-1-2.4, 7-1-2.7, 7-2-1.3, and 7-3-6.1. PCAQCD Rules 3-1-045 and 3-1-100 are clarified as not being in the SIP, because they did not have a valid SIP submittal.

II. Background

On August 16, 1994, May 31, 1995, and November 27, 1995, ADEQ submitted or resubmitted to EPA on behalf of PCAQCD various rules relating to general permitting and PSD requirements. Part of these rules were approved in a **Federal Register** (FR) document by EPA for incorporation into the PCAQCD portion of the Arizona SIP on April 9, 1996 (61 FR 15717). Part of the approved rules were submitted at earlier dates, but EPA can act only on the latest submittal date, November 27, 1995. The adoption date for all rules was incorrectly designated as October 12, 1995, because many of the individual rules had earlier adoption

dates. Only approved chapters and articles were listed in the FR document, but this did not clarify which individual rules were approved. This present action will clarify and correct the deficiencies in the previous FR document of April 9, 1996.

III. EPA Evaluation and Action

In determining the approvability of a rule submittal, EPA must evaluate the rules for consistency with the requirements of the CAA, EPA regulations, as found in section 110 of the CAA and 40 CFR part 51 (Requirements for Preparation, Adoption, and Submittal of Implementation Plans), and EPA policy. The statutory requirements for nonattainment area permitting are found in Title I of the CAA. EPA must also ensure that rules are enforceable, appropriate for the SIP, and strengthen or maintain the SIP's control strategy.

EPA is clarifying that the individual rules approved on April 9, 1996 (61 FR 15717) along with their respective individual adoption dates, are as follows:

- PCAQCD Rules 1-1-020, 1-1-030, 1-1-040, [1-1-050], 1-1-060, 1-1-070, 1-1-080, 1-1-100, 1-2-110, 2-1-010, 2-1-020, 2-1-030, 2-1-040, 2-1-050, 2-1-060, 2-1-070, 2-2-080, 2-2-090, 2-3-100, 2-3-110, 2-4-120, 2-4-130, 2-4-140, 2-4-150, 2-5-170, 2-5-210, 2-6-220, 2-7-230, 2-7-240, 2-7-250, 2-7-260, 2-7-270, 3-1-020, 3-1-132, adopted on June 29, 1993.

- PCAQCD Rules 1-1-090, 1-2-120, 3-1-010, 3-1-030, 3-1-055, 3-1-065, 3-1-070, 3-1-082, 3-1-085, 3-1-087, 3-1-090, 3-1-102, 3-1-105, 3-1-110, 3-1-120, 3-1-140, 3-1-150, 3-1-160, 3-1-170, 3-1-173, 3-1-175, 3-1-177, 3-2-180, 3-2-185, 3-2-195, 3-2-190, 3-3-200, 3-3-203, 3-3-205, 3-3-260, 3-3-270, 3-3-275, 3-3-280, adopted on November 3, 1993.

- PCAQCD Rules 1-1-010, [1-1-055], 1-1-106, 2-5-180, 2-5-190, 2-5-200, 3-1-042, 3-1-060, [3-1-080], 3-1-081, 3-1-083, 3-1-084, 3-1-089, 3-1-103, 3-1-107, 3-1-109, 3-3-210, 3-3-250, adopted on February 22, 1995.

- PCAQCD Rules [1-1-105], 1-3-130, 1-3-140, 2-5-160, 3-1-040, 3-1-050, adopted on October 12, 1995.

The four rules below were erroneously approved by EPA as part of the previously approved Chapter 1, Article 1 (1-1-xxx series rules) and Chapter 3, Article 1 (3-1-xxx series rules). EPA is removing the four rules below from the PCAQCD portion of the Arizona SIP under section 110(k)(6) as inconsistent with the requirements of section 110(a) and part D of the CAA. The four rules are not appropriate for

inclusion in the SIP for the reasons given below. Removal of these four rules from the SIP will have no effect on emissions to the ambient air:

- PCAQCD Rule 1-1-050, Authorization to Accept Funds or Grants, relates to management of local funds.

- PCAQCD Rule 1-1-055, Authorization to Collect Funds or Fees, relates to management of local funds and fees.

- PCAQCD Rule 1-1-105, SIP List, is a non-regulatory rule.

- PCAQCD Rule 3-1-080, Appeals to the Hearing Board, relates to procedures for the local hearing board.

The two rules below were apparently approved by EPA as part of the previously approved Chapter 3, Article 1 (3-1-xxx series rules). However, PCAQCD specifically excluded these rules from the November 27, 1995 submittal. Therefore, EPA is clarifying that these two rules are not approved into the SIP and have never been in the SIP, because there is not a valid SIP submittal:

- PCAQCD Rule 3-1-045, Transition from Installation and Operating Permit Program.

- PCAQCD Rule 3-1-100, Permit Posting.

Certain of the rules from the now-defunct PGCAQCD are determined by EPA to have been erroneously approved, because they are not appropriate for inclusion in the SIP. EPA is removing the following rules from the PGCAQCD portion of the Arizona SIP under section 110(k)(6) as inconsistent with the requirements of section 110(a) and part D of the CAA. A consequence of this action is that these rules are also removed from the PCAQCD portion of the Arizona SIP. The rules are not appropriate for inclusion in the SIP for the reasons given below. Removal of these rules from the SIP will have no effect on emissions to the ambient air:

- PGCAQCD Rule 7-1-2.2, Permit Unit Description and Fees, relates to assessment of local fees.

- PGCAQCD Rule 7-1-2.4, Appeals to Hearing Board, relates to procedures for the local hearing board.

- PGCAQCD Rule 7-1-2.7, Enforcement, relates to local enforcement of Arizona statutes.

- PGCAQCD Rule 7-2-1.3, Non-Methane Hydrocarbons, relates to a district non-methane hydrocarbon standard that does not have an equivalent in the NAAQS. This is consistent with the CAA, because there is no effect on attainment or any other applicable requirement of the CAA.

- PGCAQCD Rule 7-3-6.1, Policy and Legal Authority, relates to local

¹ The Gila County Board of Supervisors dissolved the PGCAQCD on the part of Gila County on April 4, 1988. The Pinal County Board of Supervisors dissolved the PGCAQCD on the part of Pinal County on November 23, 1992. The existing PGCAQCD SIP rules remain in the SIP applying to Pinal County and Gila County until rescinded, removed, or replaced by EPA action with respect to each county.

authority of the PGCAQCD and the local hearing board as authorized by Arizona statutes.

EPA approved into the SIP from the submittal of August 15, 1994 the following two rules, which are replaced by revised versions cited above:

- PCAQCD Rule 3–1–084, adopted on August 11, 1994.
- PCAQCD Rule 3–1–107, adopted on November 3, 1993.

EPA is publishing this direct final approval without prior proposal because the Agency views this SIP revision as a noncontroversial revision 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 adverse comments be filed. This direct final approval will be effective February 20, 2001 without further notice unless the Agency receives adverse comments by January 19, 2001.

If the EPA receives such comments, then EPA will publish a timely withdrawal in the **Federal Register** informing the public that the rule will 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 this rule. Any parties interested in commenting on this rule should do so at this time. If no such comments are received, the public is advised that this direct final approval will be effective on February 20, 2001.

IV. Administrative Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a “significant regulatory action” and therefore is not subject to review by the Office of Management and Budget. This action merely approves state law as meeting federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies 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.*). Because this rule approves pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Public Law 104–4). For the same reason, this rule also does not significantly or uniquely affect the communities of tribal governments, as

specified by Executive Order 13084 (63 FR 27655, May 10, 1998). This rule will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999), because it merely approves a state rule implementing a federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. This rule also is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it is not economically significant.

In reviewing SIP submissions, EPA’s role is to approve state choices, provided that they meet the criteria of the Clean Air Act. In this context, in the absence of a prior existing requirement for the State to use voluntary consensus standards (VCS), EPA has no authority to disapprove a SIP submission for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a SIP submission, to use VCS in place of a SIP submission that otherwise satisfies the provisions of the Clean Air Act. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. As required by section 3 of Executive Order 12988 (61 FR 4729, February 7, 1996), in issuing this rule, EPA has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct. EPA has complied with Executive Order 12630 (53 FR 8859, March 15, 1988) by examining the takings implications of the rule in accordance with the “Attorney General’s Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings” issued under the executive order. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

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**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

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 February 20, 2001. 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 relations, Permitting, Reporting and recordkeeping requirements.

Dated: July 13, 2000.

Felicia Marcus,

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 D—Arizona

2. Section 52.120 is amended by adding paragraph (c)(18)(iv)(B), revising paragraph (c)(84)(i)(A), and adding paragraphs (c)(84)(i)(B), (c)(84)(i)(C), and (c)(84)(i)(D) to read as follows:

§ 52.120 Identification of plan.

* * * * *

(c) * * *

(18) * * *

(iv) * * *

(B) Previously approved on November 15, 1978 and now deleted without replacement Rules 7–1–2.2, 7–1–2.4, 7–1–2.7, 7–2–1.3, and 7–3–6.1.

* * * * *

(84) * * *

(i) * * *

(A) Rules 1–1–020, 1–1–030, 1–1–040, 1–1–060, 1–1–070, 1–1–080, 1–1–100, 1–2–110, 2–1–010, 2–1–020, 2–1–030, 2–1–040, 2–1–050, 2–1–060, 2–1–070, 2–2–080, 2–2–090, 2–3–100, 2–3–110,

2-4-120, 2-4-130, 2-4-140, 2-4-150, 2-5-170, 2-5-210, 2-6-220, 2-7-230, 2-7-240, 2-7-250, 2-7-260, 2-7-270, 3-1-020, 3-1-132, adopted on June 29, 1993.

(B) Rules 1-1-090, 1-2-120, 3-1-010, 3-1-030, 3-1-055, 3-1-065, 3-1-070, 3-1-082, 3-1-085, 3-1-087, 3-1-090, 3-1-102, 3-1-105, 3-1-110, 3-1-120, 3-1-140, 3-1-150, 3-1-160, 3-1-170, 3-1-173, 3-1-175, 3-1-177, 3-2-180, 3-2-185, 3-2-190, 3-2-195, 3-3-200, 3-3-203, 3-3-205, 3-3-260, 3-3-270, 3-3-275, 3-3-280, adopted on November 3, 1993.

(C) Rules 1-1-010, 1-1-106, 2-5-190, 2-5-200, 3-1-042, 3-1-060, 3-1-081, 3-1-083, 3-1-084, 3-1-089, 3-1-103, 3-1-107, 3-1-109, 3-3-210, 3-3-250, adopted on February 22, 1995.

(D) Rules 1-3-130, 1-3-140, 2-5-160, 2-5-180, 3-1-040, 3-1-050, adopted on October 12, 1995.

* * * * *

[FR Doc. 00-31465 Filed 12-19-00; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[TX-121-1-7450a; FRL-6913-4]

Approval and Promulgation of Implementation Plans; Texas; Control of Emissions of Volatile Organic Compounds from Batch Processes, Industrial Wastewater and Service Stations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: The EPA is taking direct final action to approve revisions to the Texas State Implementation Plan (SIP). The revisions incorporate regulations to control Volatile Organic Compound (VOC) emissions from batch processes, industrial wastewater, and during the filling of underground storage tanks at gasoline service stations. The intended effect is to approve the regulations into the Texas SIP. This action is being taken in accordance with the Federal Clean Air Act (Act).

DATES: This rule is effective on February 20, 2001 without further notice, unless EPA receives adverse comment by January 19, 2001. If EPA receives such adverse comment, EPA will publish a timely withdrawal in the **Federal Register** informing the public the rule will not take effect.

ADDRESSES: Written comments on this action should be addressed to Mr.

Thomas Diggs, Chief, Air Planning Section (6PD-L), at the EPA Region 6 Office listed below.

Copies of the documents relevant to this action, including the Technical Support Document (TSD), are available for public inspection during normal business hours at the following locations. Interested persons wanting to examine these documents should make an appointment with the appropriate office at least two working days in advance.

Environmental Protection Agency, Region 6, Air Planning Section (6PD-L), Multimedia Planning and Permitting Division, Region 6, Dallas, 1445 Ross Avenue, Texas 75202-2733, telephone: (214) 665-7214.

Texas Natural Resource Conservation Commission, 12100 Park 35 Circle, Austin, Texas 78711-3087.

FOR FURTHER INFORMATION CONTACT: Mr. Guy R. Donaldson, Air Planning Section (6PD-L), Multimedia Planning and Permitting Division, Environmental Protection Agency, Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733, telephone: (214) 665-7242.

SUPPLEMENTARY INFORMATION:

Table of Contents

1. What action is EPA taking?
2. What is a Reasonably Available Control Technology (RACT)?
3. Why do we regulate Volatile Organic Compounds (VOCs)?
4. What is a Volatile Organic Compound (VOC)?
5. What do the Industrial Wastewater Rules Require?
6. What do the Batch Processing Rules Require?
7. What is required by the revisions to the vapor recovery rules for gasoline service stations?
8. What is a State Implementation Plan (SIP)?
9. What is the Federal approval process for a SIP?
10. What does Federal approval of a SIP mean to me?

Throughout this document "we," "us," and "our" means EPA. Please note that if we receive adverse comment(s) on an amendment, paragraph, or section of this rule and if that provision is independent of the remainder of the rule, we may adopt as final those provisions of the rule that are not the subject of adverse comment.

1. What Action Is EPA Taking?

We are approving three provisions as part of the Texas State Implementation Plan. We believe these revisions will help Texas meet certain requirements of the Clean Air Act and they will contribute to attainment of the one-hour ozone standard in the Houston/Galveston, Beaumont/Port Arthur and

Dallas/Fort Worth nonattainment areas. The three provisions are:

- We are approving rules to control emissions from industrial wastewater sources in the Synthetic Organic Chemical Industry (SOCMI) in the Houston/Galveston and Beaumont/Port Arthur ozone nonattainment areas (30 Texas Administrative Code(TAC)115.140-149) as meeting the section 182(b)(2) and section 183 Reasonably Available Control Technology (RACT) requirements. These rules were initially submitted for the Houston/Galveston, Dallas/Fort Worth, and El Paso areas in a letter from the Governor of Texas dated May 9, 1994 and given limited approval. See 64 FR 3841 (January 26, 1999) and 62 FR 27964 (May 22, 1997). The rules were revised as they relate to the Beaumont/Port Arthur and Houston/Galveston areas and submitted in a letter from the Governor of Texas dated November 12, 1999. We are approving the 1999 regulations as revised for the Beaumont/Port Arthur and Houston/Galveston areas as meeting RACT. Furthermore, we are converting the limited approval to a full approval because we now believe that RACT is being implemented for major sources in this source category in all four 1-hour ozone nonattainment areas in Texas. (We previously approved negative declarations for this source category in the El Paso and Dallas/Fort Worth areas. See 61 FR 55897 (October 30, 1996).)

- We are approving as RACT, rules to control emissions from batch processes in the Beaumont/Port Arthur ozone nonattainment area (30 TAC 115.160-115.169). The rules to control Batch Processes were submitted in a letter dated November 12, 1999.

- We are approving rules to require recovery of vapors displaced when tanker trucks unload gasoline at service stations in the eastern half of Texas (30 TAC 115.213-115.229 and 115.234-115.239). These rules were submitted in a letter dated August 9, 1999. We are approving these rules under part D of the Act because the State of Texas is relying upon these VOC reductions to demonstrate attainment of the 1-hour ozone standard in the Beaumont/Port Arthur, Dallas/Fort Worth, and Houston/Galveston areas. We are also approving these rules under sections 110 and 116 because the State is relying upon these rules for the continued maintenance of the standard in the eastern half of the State of Texas and as a strengthening of the existing Texas SIP.

In addition, when we approved the Texas VOC rules for the capture and control of the vapors at bulk gasoline