

§ 701.21 Loans to members and lines of credit to members.

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(c) * * *

(7) * * *

(ii) * * *

(C) *Expiration.* After September 8, 1997, or as otherwise ordered by the NCUA Board, the maximum rate on federal credit union extensions of credit to members shall revert to 15 percent per year. Higher rates may, however, be charged, in accordance with paragraphs (c)(7)(ii) (A) and (B) of this section, on loans and line of credit balances existing on or before September 8, 1997.

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ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 52**

[CA 37-3-7203; FRL-5329-7]

Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision; Butte County Air Pollution Control District, Mojave Desert Air Quality Management District, Monterey Bay Unified Air Pollution Control District, Santa Barbara County Air Pollution Control District, and Yolo-Solano Air Quality Management District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is finalizing the approval of revisions to the California State Implementation Plan (SIP) proposed in the Federal Register on July 27, 1995. The revisions concern rules from Butte County Air Pollution Control District (BCAPCD), Mojave Desert Air Quality Management District (MDAQMD), Monterey Bay Unified Air Pollution Control District (MBUAPCD), Santa Barbara County Air Pollution Control District, and Yolo-Solano Air Quality Management District (YSAQMD). This approval action will incorporate these rules into the federally approved SIP. The intended effect of approving these rules is to regulate emissions of volatile organic compounds (VOCs) in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). The revised rules control VOC emissions from the manufacture and application of cutback and emulsified asphalt materials. Thus, EPA is finalizing the approval of these revisions into the California 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 nonattainment areas.

EFFECTIVE DATE: This action is effective on March 6, 1996.

ADDRESSES: Copies of the rule revisions and EPA's evaluation report for each rule are available for public inspection at EPA's Region IX office during normal business hours. Copies of the submitted rule revisions are available for inspection at the following locations:

Rulemaking Section (A-5-3), Air and Toxics Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105

Environmental Protection Agency, Air Docket (6102), 401 "M" Street, S.W., Washington, D.C. 20460

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 1219 "K" Street, Sacramento, CA 95814

Butte County Air Pollution Control District, 9287 Midway, Suite 1A, Durham, CA 95938

Mojave Desert Air Quality Management District, 15428 Civic Drive, Victorville, CA 92392

Monterey Bay Unified Air Pollution Control District, 24580 Silver Cloud Court, Monterey, CA 93940

Santa Barbara County Air Pollution Control District, 26 Castilian Drive B-23, Goleta, CA 93117.

Yolo-Solano Air Quality Management District, 1947 Galileo Court, Suite 103, Davis, CA 95616.

FOR FURTHER INFORMATION CONTACT:

Patricia A. Bowlin, Rulemaking Section, Air and Toxics Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105, Telephone: (415) 744-1188.

SUPPLEMENTARY INFORMATION:**Background**

On July 27, 1995 in 60 FR 38535, EPA proposed to approve the following rules into the California SIP: BCAPCD Rule 241, Cutback and Emulsified Asphalt; MDAQMD Rule 1103, Cutback and Emulsified Asphalt; MBUAPCD Rule 425, Use of Cutback Asphalt; SBCAPCD Rule 329, Cutback and Emulsified Asphalt Paving Materials; and YSAQMD Rule 2.28, Cutback and Emulsified Asphalts. The BCAPCD adopted Rule 241 on January 12, 1993; the MDAQMD adopted Rule 1103 on December 21, 1994; the MBUAPCD adopted Rule 425 on August 25, 1993; the SBCAPD adopted rule 329 on February 25, 1992; and the YSAQMD adopted Rule 2.28 on

May 25, 1994. These rules were submitted by the California Air Resources Board (CARB) to EPA on May 13, 1993; December 22, 1994; November 18, 1993; June 19, 1992; and November 30, 1994 respectively. These rules were submitted in response to EPA's 1988 SIP-Call and the CAA section 182(a)(2)(A) requirement that nonattainment areas fix their reasonably available control technology (RACT) rules for ozone in accordance with EPA guidance that interpreted the requirements of the pre-amendment Act. A detailed discussion of the background for each of the above rules and nonattainment areas is provided in the NPRM cited above.

EPA has evaluated the above rules for consistency with the requirements of the CAA, EPA regulations, and EPA interpretation of these requirements as expressed in the various EPA policy guidance documents referenced in the NPRM cited above. EPA has found that the rules meet the applicable EPA requirements. A detailed discussion of the rule provisions and evaluations has been provided in 60 FR 38535 and in technical support documents (TSDs) available at EPA's Region IX office.

Response to Public Comments

A 30-day public comment period was provided in 60 FR 38535. EPA received no comments regarding the NPRM.

EPA Action

EPA is finalizing action to approve the above rules for inclusion into the California SIP. EPA is approving the submittals under section 110(k)(3) as meeting the requirements of section 110(a) and Part D of the CAA. This approval action will incorporate these rules into the federally approved SIP. The intended effect of approving these rules is to regulate emissions of VOCs in accordance with the requirements of the CAA.

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.

Unfunded Mandates

Under Sections 202, 203, and 205 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, EPA must undertake various actions in association with proposed or final rules

that include a Federal mandate that may result in estimated costs of \$100 million or more to the private sector or to State, local, or tribal governments in the aggregate.

Through submission of this state implementation plan or plan revision, the State and any affected local or tribal governments have elected to adopt the program provided for under Part D of the Clean Air Act. These rules may bind State, local, and tribal governments to perform certain actions and also require the private sector to perform certain duties. The rules being approved by this action will impose no new requirements because affected sources are already subject to these regulations under State law. Therefore, no additional costs to State, local, or tribal governments or to the private sector result from this action. EPA has also determined that this final action does not include a mandate that may result in estimated costs of \$100 million or more to State, local, or tribal governments in the aggregate or to the private sector.

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 Executive Order 12866 review.

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: October 31, 1995.

Felicia Marcus,
Regional Administrator.

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. 7401-7671q.

Subpart F—California

2. Section 52.220 is amended by adding paragraphs (c)(188)(i)(A)(4),

(193)(i)(C)(1), (194)(i)(F)(2), (207)(i)(C)(2), (210)(i)(C)(1) to read as follows:

§ 52.220 Identification of plan.

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(c) * * *

(188) * * *

(i) * * *

(A) * * *

(4) Rule 329, adopted on February 25, 1992.

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(193) * * *

(i) * * *

(C) Butte County Air Pollution Control District.

(1) Rule 241, adopted on January 12, 1993.

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(194) * * *

(i) * * *

(F) * * *

(2) Rule 425, adopted on August 25, 1993.

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(207) * * *

(i) * * *

(C) * * *

(2) Rule 2.28, adopted on May 25, 1994.

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(210) * * *

(i) * * *

(C) Mojave Desert Air Quality Management District.

(1) Rule 1103, adopted on December 21, 1994.

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BILLING CODE 6560-50-P

40 CFR Part 52

[WV035-6001; FRL-5416-6]

Approval and Promulgation of Air Quality Implementation Plans; West Virginia: Interim Final Determination That West Virginia Has Corrected the Deficiencies in the Plan for the Follansbee PM-10 Nonattainment Area

AGENCY: Environmental Protection Agency (EPA).

ACTION: Interim Final Rule.

SUMMARY: In the Proposed Rules section of today's Federal Register, EPA has published a notice proposing to fully approve the State of West Virginia's submittal of revisions to its demonstration that its SIP is sufficient to attain national ambient air quality standards (NAAQS) for particulate matter with aerodynamic diameter less than or equal to 10 micrometers (PM-10) in the Follansbee, West Virginia

area. Based on the proposed full approval, EPA is making an interim final determination by this notice that the State has corrected the deficiencies for which a sanctions clock began on August 24, 1994. This action will defer the application of the offset sanction and defer the application of the highway sanction. Although this action is effective upon publication, EPA will take comment on this interim final determination as well as EPA's proposed approval of the State's submittal. If no comments are received on EPA's proposed approval of the State's submittal, EPA will take final approval action which will also finalize EPA's determination that the State has corrected the deficiency that started the sanctions clock. If comments are received on EPA's proposed approval and this interim final action, EPA will publish a final notice taking into consideration any comments received.

DATES: Effective February 5, 1996.

Comments on this interim final determination must be received by March 6, 1996.

ADDRESSES: Comments may be mailed to Marcia L. Spink, Associate Director, Air Programs, Mailcode 3AT00, 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 and the West Virginia Department of Environmental Protection, Office of Air Quality, 1558 Washington Street, East, Charleston, West Virginia.

FOR FURTHER INFORMATION CONTACT:

Thomas A. Casey, (215) 597-2746, at the EPA Region III address above (Mailcode 3AT22) or via e-mail at casey.thomas@epamail.epa.gov. While information may be requested via e-mail, comments must be submitted in writing to the EPA Region III address above.

SUPPLEMENTARY INFORMATION:

I. Background

On November 15, 1991, West Virginia submitted an attainment SIP for the Follansbee nonattainment area. The submittal contained bilateral consent orders between the State of West Virginia and six companies requiring reductions in PM-10 emissions from six sources in the Follansbee area; an air quality modeling analysis intended to demonstrate that West Virginia's SIP, once revised to include the consent