

Harvest limits	Open season
Hunting	
* * *	* *
Moose:	
Unit 22(A)—1 antlered bull; however the period of Dec. 1-Jan. 31 is restricted to residents of Unit 22(A) only.	Aug. 1-Sept. 30, Dec. 1-Jan. 31.
Unit 22(B)—1 moose; however, antlerless moose may be taken only from Dec. 1-Dec. 31; no person may take a cow accompanied by a calf.	Aug. 1-Jan. 31.
Unit 22(C)—1 antlered bull.	Sept. 1-Sept. 14.
Unit 22(D)—1 moose; however, antlerless moose may be taken only from Dec. 1-Dec. 31; no person may take a cow accompanied by a calf.	Aug. 1-Jan. 31.
Unit 22(E)—1 moose; no person may take a cow accompanied by a calf.	Aug. 1-Mar. 31.
* * *	* *

9. Section _____.25(k)(25)(iii)(B) is amended in the table under "Trapping" by revising the entry for Lynx to read as follows:

* * * * *

(k) * * *

(25) * * *

(iii) * * *

(B) * * *

Harvest limits	Open season
Trapping:	
* * *	* *
Lynx:	
Unit 25(C)—No limit ..	Dec. 1-Jan. 31.
Remainder of Unit 25—No limit.	Nov. 1-Feb. 28.
* * *	* *

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Dated: January 19, 1996.

Mitch Demientieff,
Chair, Federal Subsistence Board.

Dated: January 18, 1996.

Phil Janik,
Regional Forester, USDA—Forest Service.
[FR Doc. 96-3186 Filed 2-13-96; 8:45 am]

BILLING CODES 3410-11-M, 4310-55-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[NC-049-1-7197a; FRL-5336-6]

Approval and Promulgation of Implementation Plans, North Carolina: Approval of Revisions to the North Carolina State Implementation Plan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: On May 15, 1991, the State of North Carolina, through the North Carolina Department of Environment, Health and Natural Resources, submitted revisions to the North Carolina State Implementation Plan (SIP) to EPA. These revisions include the correcting of an address; the limiting of emissions of particulates from fuel burning indirect heat exchangers; the elimination of a conflicting statement on updating referenced regulations; the addition of compounds whose emissions will not be considered in nonattainment areas; the changing of the allowable emission limits for several boilers; and the clarification of the permit requirements for replacement of existing equipment and for sources subject to NSPS, NESHAPS and PSD requirements.

DATES: This action is effective April 15, 1996, unless notice is received by March 15, 1996, that someone wishes to submit adverse or critical comments. If the effective date is delayed, timely notice will be published in the Federal Register.

ADDRESSES: Written comments should be addressed to: Randy Terry, Regulatory Planning and Development Section, Air Programs Branch, Air, Pesticides & Toxics Management Division, Region 4 Environmental Protection Agency, 345 Courtland Street, NE, Atlanta, Georgia 30365.

Copies of the material submitted by the NCDEHNR may be examined during normal business hours at the following locations:

Air and Radiation Docket and Information Center (Air Docket 6102), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460.
Environmental Protection Agency, Region IV Air Programs Branch, 345 Courtland Street, NE, Atlanta, Georgia 30365.

North Carolina Department of Environment, Health and Natural Resources, 512 North Salisbury Street, Raleigh, North Carolina 27604.

FOR FURTHER INFORMATION CONTACT:

Randy Terry, Regulatory Planning and Development Section, Air Programs Branch, Air, Pesticides & Toxics Management Division, Region 4 Environmental Protection Agency, 345 Courtland Street, NE, Atlanta, Georgia 30365. The telephone number is 404/347-3555 ext. 4212.

SUPPLEMENTARY INFORMATION: On May 15, 1991, the Environmental Management Commission submitted, to EPA, several amendments concerning North Carolina's air quality regulations. The submitted revisions include the limiting of emissions of particulates from fuel burning indirect heat exchangers; the elimination of a conflicting statement on updating referenced regulations; the addition of compounds whose emissions will not be considered in nonattainment areas; the changing of the allowable emission limits for several boilers; and several smaller administrative changes.

On August 23, 1991, EPA notified the State of corrections needing to be made prior to the approval of amendment 15A NCAC 2D .0501. Subsequently, North Carolina, in a December 19, 1991, letter, requested to have that amendment withdrawn. In a September 20, 1991, letter, North Carolina submitted a revised version of Rule 2D .0536 Particulate Emissions From Electric Utility Boilers to replace the version that was contained in the hearing record on this Rule. The original version submitted on May 15, 1991, contained changes made in the North Carolina Rule of which parts are not contained in the Federally approved SIP. The amended version is discussed later in this document. North Carolina also submitted, in a September 24, 1992, package, revisions to 15A NCAC 2D .1002 Applicability. These revisions are also being addressed in this rulemaking.

Revisions to rule 15A NCAC 2D .0531 Sources in Nonattainment Areas were addressed in the October 31, 1994 Federal Register Notice (59 FR 54388-54389.)

EPA is approving the following revisions to the North Carolina SIP, because they are consistent with the requirements set forth in the Clean Air Act (CAA).

15A NCAC 2D .0103 Copies of Referenced Federal Regulations

North Carolina amended this rule to update the location at which referenced material is available for public inspection.

15A NCAC 2D .0503 Particulates From Fuel Burning Indirect Heat Exchangers

North Carolina amended this rule to clarify the emissions of particulates from fuel burning indirect heat exchangers. This revision in no way changes the interpretation of the previous rule.

15A NCAC 2D .0530 Prevention of Significant Deterioration

North Carolina amended this rule to eliminate a conflicting statement on updating referenced federal regulations.

15A NCAC 2D .0536 Particulate Emissions From Electric Utility Boilers

North Carolina amended this rule to change the maximum allowable emissions rates from electric utility boilers at several utility facilities.

15A NCAC 2H .0601 Purpose and Scope

North Carolina amended this rule to clarify the types of sources for which construction or operating permits are required or not required.

15A NCAC 2H .0607 Copies of Referenced Documents

North Carolina amended this rule to update the location at which referenced materials are available for public inspection.

Final Action

EPA is approving the above referenced revision to the North Carolina SIP. This action is being taken without prior proposal because the EPA views this as a noncontroversial amendment and anticipates no adverse comments. However, in a separate document in this Federal Register publication, the EPA is proposing to approve the SIP revision should adverse or critical comments be filed. This action will be effective April 15, 1996, unless, by March 15, 1996, adverse or critical comments are received.

If the 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. The 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 April 15, 1996.

Under Section 307(b)(1) of the Act, 42 U.S.C. 7607 (b)(1), petitions for judicial review of this action must be filed in the

United States Court of Appeals for the appropriate circuit by April 15, 1996. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for 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) of the Act, 42 U.S.C. 7607 (b)(2).)

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.

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

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 110 and subchapter I, part D of the CAA 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, I certify 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 regulatory flexibility analysis would constitute federal inquiry into the economic reasonableness of state action. The CAA forbids EPA to base its actions concerning SIPs on such grounds. *Union Electric Co. v. U.S. E.P.A.*, 427

U.S. 246, 256-66 (S.Ct. 1976); 42 U.S.C. 7410(a)(2).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by Reference, Intergovernmental relations, Particulate Matter, Reporting and recordkeeping requirements.

Dated: November 6, 1995.

Patrick M. Tobin,

Acting Regional Administrator.

Part 52 of chapter I, title 40, 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 II—North Carolina

2. Section 52.1770, is amended by adding paragraph (c)(78) to read as follows:

§ 52.1770 Identification of plan.

* * * * *

(c) * * *

(78) Miscellaneous revisions to the North Carolina State Implementation Plan which were submitted on May 15, 1991.

(i) Incorporation by reference. (A) Amendments to North Carolina regulations 15A NCAC 2D.0103, 2D.0503, 2D.0530, 2D.0536, 2H.0601, and 2H.0607, of the North Carolina State Implementation Plan submitted on May 15, 1991, which were state effective on August 1, 1991.

(ii) Other material. None

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[FR Doc. 96-3326 Filed 2-13-96; 8:45 am]

BILLING CODE 6560-50-P

40 CFR Part 52

[ME-20-01-6906a; A-1-FRL-5339-4]

Approval and Promulgation of Air Quality Implementation Plans; Maine: Revisions to the Requirements and Procedures for NSR/PSD License Applications

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is approving a State Implementation Plan (SIP) revision submitted by the State of Maine. This revision establishes and requires the implementation of the Clean Air Act Amendments (CAAA) of 1990 with regard to New Source Review (NSR) in