

existing requirements nor does it impose any new Federal requirements.

Under section 307(b)(1) of the Act, 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 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)).

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. This rule may bind State, local, and tribal governments to perform certain actions and also require the private sector to perform certain duties. The rule being incorporated into the SIP 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: January 16, 1996.

Felicia Marcus,
Regional Administrator.

Subpart F of 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:

Subpart F—California

Authority: 42 U.S.C. 7401-7671q.

2. Section 52.220 is amended by adding paragraph (c)(198)(i)(I) to read as follows:

§ 52.220 Identification of plan.

* * * * *

(c) * * *
(198) * * *
(i) * * *

(I) San Diego County Air Pollution Control District.

(I) Rule 67.10, adopted on June 15, 1994.

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BILLING CODE 6560-50-W

40 CFR Part 52

[WA40-1-7099; WA42-1-7115; AK11-1-6944; FRL-5337-8]

Approval and Promulgation of Implementation Plans: Washington and Alaska

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: Pursuant to procedures described at 54 FR 2214 (January 19, 1989), EPA has recently approved a number of minor State implementation plan (SIP) revisions submitted by the Washington Department of Ecology (WDOE) and the Alaska Department of Environmental Conservation (ADEC). These revisions included local air pollution control regulations submitted by WDOE from the Puget Sound Air Pollution Control Agency (PSAPCA)

which are at least as stringent as the WDOE statewide rules. The revisions also included the carbon monoxide (CO) contingency measure for Fairbanks, AK., submitted by ADEC. ADEC's SIP revision, identified as the repair technician training and certification program, was previously approved by EPA on April 5, 1995 (60 FR 17232) as part of the State's inspection and maintenance program in the Fairbanks North Star Borough, but no credit had been taken by the State for the program at that time. Therefore, the CO contingency measure in Fairbanks was submitted as a separate element to meet the requirements of the Clean Air Act, as amended in 1990 (the "Act"). This document lists the revisions EPA has approved and incorporates the relevant material into the Code of Federal Regulations.

EFFECTIVE DATE: February 14, 1996.

ADDRESSES: Copies of Washington's and Alaska's State SIP revision requests and EPA's letter notices of approval are available for public inspection during normal business hours at the following locations: EPA, Region 10, Office of Air, Docket # WA-40-1-7099, WA-42-1-7115, AK-11-1-6944, 1200 Sixth Avenue, Seattle, WA. 98101; WDOE, Mail Stop PV-11, Olympia, WA. 98504-8711; and ADEC, 410 Willoughby Ave., Suite 105, Juneau, AK. 99801-1795.

FOR FURTHER INFORMATION CONTACT: Montel Livingston, Office of Air (AT-082), EPA, Seattle, WA. 98101, (206) 553-0180.

SUPPLEMENTARY INFORMATION: EPA Region 10 has approved the following minor SIP revision requests under section 110(a) of the Act:

State	Subject matter	Date of submission	Date of approval
WA ...	Amendment to SIP affecting PSAPCA's regulation I. Clarifies intent of requirement, repeals redundancies.	5-17-95	6-19-95

State	Subject matter	Date of submission	Date of approval
WA ...	Amendment to SIP incorporating guidelines for evaluating toxic air contaminant emissions into the regulations.	9-7-95	10-23-95
AK	Amendment to SIP adding a carbon monoxide contingency measure for Fairbanks.	7-12-95	9-7-95

EPA has determined that each of these SIP revisions complies with all applicable requirements of the Act and EPA policy and regulations concerning such revisions. Due to the minor nature of these revisions, EPA concluded that conducting notice-and-comment rulemaking prior to approving the revisions would have been "unnecessary and contrary to the public interest," and hence, was not required by the Administrative Procedure Act, 5 U.S.C. 553(b). Each of these SIP approvals became final and effective on the date of EPA approval as listed in the chart above.

The Office of Management and Budget has exempted all SIP approvals from the requirements of section 3 of Executive Order 12866.

Under 5 U.S.C. 605(b), I certify that these SIP revisions will not have a significant impact on a substantial number of small entities. See 46 FR 8709.

Under section 307(b)(1) of the Act, as amended, judicial review of this action is available only by filing a petition for review in the United States Court of Appeals for the appropriate circuit by April 15, 1996. These actions may not be challenged later in proceedings to enforce their requirements. See section 307(b)(2).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Particulate matter, Reporting and recordkeeping requirements.

Note: Incorporation by reference of the Implementation Plans for the States of Washington and Alaska were approved by

the Director of the Office of Federal Register on July 1, 1982.

Dated: November 14, 1995.

Chuck Clarke,
Regional Administrator.

40 CFR part 52 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 C—Alaska

2. Section 52.70 is amended by adding paragraph (c)(26) to read as follows:

§ 52.70 Identification of plan.

* * * * *

(c) * * *

(26) Submittal to EPA from the ADEC of CO contingency measure for Fairbanks, AK.

(i) Incorporation by reference.

(A) Letter dated July 12, 1995 from the Commissioner of the ADEC to the EPA Regional Administrator submitting its repair technician and certification program element found in State regulation 18 AAC 52.400-410, effective June 24, 1994.

Subpart WW—Washington

3. Section 52.2470 is amended by adding paragraph (c)(59) to read as follows:

§ 52.2470 Identification of plan.

* * * * *

(c) * * *

(59) Various minor revisions consisting of amended regulations affecting a local air agency, PSAPCA, were submitted to EPA from the WDOE for inclusion into the Washington SIP.

(i) Incorporation by reference.

(A) Letters dated May 17, and September 7, 1995 from the Director of the WDOE to the EPA Regional Administrator submitting minor revisions to PSAPCA's regulations for inclusion into the SIP: PSAPCA, Regulation I adopted on May 22, 1995; PSAPCA, Regulation III adopted on September 11, 1995.

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BILLING CODE 6560-50-P

40 CFR Part 70

[TN-NASH-96-01; FRL-5422-4]

Clean Air Act Final Full Approval of Operating Permits Program; Metropolitan Health Department, Metropolitan Government of Nashville and Davidson County, TN

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final full approval.

SUMMARY: The EPA is promulgating full approval of the Operating Permits Program submitted by the State of Tennessee on behalf of the Metropolitan Health Department ("Nashville-Davidson County" or "the County"), located in the geographic area of Nashville-Davidson County. The County's program was submitted for the purpose of complying with Federal requirements which mandate that states or local authorities develop, and submit to EPA, programs for issuing operating permits to all major stationary sources, and to certain other sources.

EFFECTIVE DATE: March 15, 1996.

ADDRESSES: Copies of the Nashville-Davidson County submittal and other supporting information used in developing the final full approval are available for inspection during normal business hours at the following location: U.S. Environmental Protection Agency, Region 4, 345 Courtland Street NE, Atlanta, Georgia 30365, on the 3rd floor of the Tower Building. Interested persons wanting to examine these documents, contained in EPA docket number TN-NASH-96-01, should make an appointment at least 24 hours before the visiting day.

FOR FURTHER INFORMATION CONTACT:

Gracy R. Danois, Title V Program Development Team, Air Programs Branch, Air, Pesticides & Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 345 Courtland Street, NE., Atlanta, Georgia 30365, (404) 347-3555, Ext. 4150.

SUPPLEMENTARY INFORMATION:

I. Background and Purpose

A. Introduction

Title V of the 1990 Clean Air Act Amendments (sections 501-507 of the Clean Air Act ("the Act")), and implementing regulations at 40 Code of Federal Regulations (CFR) part 70 require that states or authorized local agencies develop and submit operating permits programs to EPA by November 15, 1993, and that EPA act to approve or disapprove each program within one