

"incorporated," is a part of such name, the abbreviation of such word may be used. Stamps which cannot be used in the season or year for which they were overprinted, or on which an error was made in the season of production or bottling, may again be overprinted. Other data may not be changed after the first overprinting. All overprinting shall be done by the proprietor or, on his order, by a reputable printer. Overprinting will be done in red ink.

(72 Stat. 1358; 26 U.S.C. 5205)

PAR. 6. Section 201.624 is amended to delete the requirement for maintaining a daily record of green bottled-in-bond strip stamps by denomination and to make editorial changes. As amended, § 201.624 reads as follows:

§ 201.624 *Daily strip stamp record.*

Each proprietor bottling spirits under the provisions of this part shall maintain, for each day a transaction in strip stamps occurs, a daily record of green bottled-in-bond strip stamps, of blue bottled-in-bond strip stamps and of red strip stamps by kind (green, blue, or red) any by size (small or standard), and of alcohol strip stamps, showing the number received, used, lost, mutilated, destroyed, or otherwise disposed of, and on hand at the beginning and at the end of the day. The record shall also show, by size of bottle, the number of bottles to which each kind of strip stamps (green, blue, red, and white) were affixed, except that, as to each kind of stamp, bottles of less than one-half pint capacity shall be recorded as one item.

(72 Stat. 1358, 1361; 26 U.S.C. 5205, 5207)

PAR. 7. Paragraph (b) of § 201.632 is amended to delete the requirement for a separate summary by denomination of green bottled-in-bond strip stamps and to make editorial changes. As amended, paragraph (b) reads as follows:

§ 201.632 *Daily reports.*

(b) *Daily memorandum report of spirits bottled and of strip stamps.* Each proprietor who bottles spirits under the provisions of this part shall prepare and submit to the assigned officer, for each day a transaction in strip stamps occurs, a daily memorandum report of spirits bottled and strip stamps used. A separate report shall be submitted for each kind of strip stamp (i.e., green bottled-in-bond, blue bottled-in-bond, alcohol, and red). Each report shall show (1) the number of cases of spirits bottled, by number and size of bottle, (2) the serial numbers of such cases, and (3) separate summaries (by size (small or standard) for green bottled-in-bond strip stamps, blue bottled-in-bond strip stamps, and red strip stamps) of strip stamps received, used, lost, mutilated, unaccounted for, destroyed, or otherwise disposed of, and on hand at the beginning and at the end of the day.

(72 Stat. 1361, 1395; 26 U.S.C. 5207, 5555)

[FR Doc.72-16182 Filed 9-21-72; 8:50 am]

Title 29—LABOR

Chapter XVII—Occupational Safety and Health Administration, Department of Labor

PART 1910—OCCUPATIONAL SAFETY AND HEALTH STANDARDS

Sanitation; Toilet Facilities

On June 6, 1972, a document was published in the FEDERAL REGISTER (37 F.R. 11255) proposing to amend 29 CFR 1910.141 (c) (2) (ii) respecting the construction of toilet rooms.

Interested persons were provided 30 days to submit written comments or to request a hearing. Several persons submitted written comments but no requests for a hearing were received. The comments favored the adoption of the proposal with the exception of those that expressed the view that no toilet partitions whatever should be required.

After consideration of all comments, the proposal is hereby adopted without change to read as set forth below. As this amendment is intended to relieve a restriction it shall become effective immediately.

As amended, § 1910.141(c) reads as follows:

§ 1910.141 Sanitation.

(c) *Toilet facilities.* * * *

(2) *Construction of toilet rooms.* * * *

(ii) The walls of compartments or partitions between fixtures may be less than the height of room walls, but the top shall be sufficiently high to assure privacy.

(Sec. 6, 84 Stat. 1593; 29 U.S.C. 655)

Signed at Washington, D.C., this 19th day of September 1972.

G. C. GUENTHER,
Assistant Secretary of Labor.

[FR Doc.72-16175 Filed 9-21-72; 8:49 am]

Title 40—PROTECTION OF ENVIRONMENT

Chapter I—Environmental Protection Agency

SUBCHAPTER C—AIR PROGRAMS

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

National Ambient Air Quality Standards

On May 31, 1972 (37 F.R. 10842), pursuant to section 110 of the Clean Air Act and 40 CFR Part 51, the Administrator approved, with specific exceptions, State plans for implementation of the national ambient air quality standards. Since that date, the Administrator and many of the States have acted to correct the plan deficiencies identified in that

publication and to clarify and revise the information presented there.

On June 14, 1972 (37 F.R. 11826), the Administrator proposed regulations to correct deficiencies in the regulatory provisions of the plans for 25 States. Subsequently, five of the 25 States submitted supplemental information which demonstrated that these deficiencies had been corrected; no further rule making action will be taken with respect to the regulations proposed for Arkansas, Delaware, Georgia, Kentucky, and Ohio. Those five States brought to 20 the number of States whose plans contain completely approved regulatory provisions. Regulations are promulgated below for seven of the 25 States (Hawaii, Iowa, Kansas, Minnesota, Rhode Island, Vermont, and Wyoming), and the remaining 13 States will be dealt with in a future publication.

Section 110(a) (2) (F) of the Clean Air Act and 40 CFR 51.10(e) and 51.19(a) of the Agency's regulations require that State implementation plans include procedures for reporting and recordkeeping by source owners and operators and for public disclosure of the emission data reported, correlated with applicable emission limitations or other measures. The regulations promulgated below provide for the Administrator's carrying out these programs in seven States (Hawaii, Iowa, Kansas, Minnesota, Rhode Island, Vermont, and Wyoming). This is necessary because the procedures presented in the implementation plans were lacking or inadequate (Hawaii, Iowa, Kansas, Minnesota, Rhode Island, Wyoming) and/or the States do not have the necessary legal authority to adopt and enforce such procedures (Hawaii, Iowa, Kansas, Rhode Island, Wyoming).

Section 110(a) (2) (B) of the Clean Air Act requires that State implementation plans contain compliance schedules, and 40 CFR 51.15 requires further that any such compliance schedule that extends beyond 18 months shall contain periodic increments of progress toward compliance. Kansas' plan did not require sources to submit compliance schedules within a fixed time, Hawaii's plan did not set a date by which all individual source compliance schedules must be negotiated, and Iowa's plan did not require that compliance schedules exceeding 18 months' duration include increments of progress. The regulations promulgated below provide the Administrator with the procedures to obtain the necessary compliance schedules from sources in the State of Kansas and to obtain the periodic increments of progress from sources in the States of Hawaii and Iowa.

Section 110(a) of the Clean Air Act and 40 CFR 51.18 require that State implementation plans include legally enforceable procedures that will enable the States to prevent construction of new sources and modification of existing sources if such construction or modification will result in violation of the applicable portion of the State's control strategy or will interfere with attainment or maintenance of a national

ambient air quality standard. Kansas did not present approvable procedures in the implementation plan and Wyoming does not have the necessary legal authority to adopt and enforce such procedures. The regulations promulgated below provide the Administrator with procedures for carrying out such a review in Kansas and Wyoming.

Public hearings on the proposed regulations were held by the Environmental Protection Agency in most affected States. Interested parties presented their comments at these hearings and through the mail. Consideration of this information and further review of the proposed regulations led to only minor revisions:

- (1) The Administrator will specify at least one location in each of the affected States where he will make emission data obtained by the Agency available to the public. It should be noted that these data will not be generally available before March 1, 1973, because the Administrator must notify sources of their reporting requirements, insure that valid data are collected, and correlate reported emissions with allowed emissions.
- (2) Definitions have been clarified, and
- (3) The paragraph in the General Provisions describing how the Administrator will respond to emergency episodes in States having inadequate provisions in their plans has been clarified.

In this publication, the Administrator prescribes the latest dates by which certain of the national ambient air quality standards are to be attained in Arkansas, Colorado, Florida, Georgia, Hawaii, Iowa, Kansas, Kentucky, Minnesota, Ohio, Rhode Island, and South Dakota. The dates are those proposed by the Administrator on June 14, 1972 (37 F.R. 11826), for these States because their plans failed to specify dates by which national ambient air quality standards would be attained, as required by the Act and 40 CFR 51.10.

The regulations described above, with the exception of regulations providing for the review of new sources and modifications, are effective on the date of their publication in the FEDERAL REGISTER (9-22-72). The agency finds that good cause exists for making such regulations effective upon publication, for the following reasons:

- (1) The regulations do not require persons affected to take immediate action, and
- (2) Section 110 of the Clean Air Act calls for promulgation of such regulations by the Administrator no later than July 31, 1972.

The regulations providing for review of new sources and modifications (§§ 52.878(b) and 52.2625(b)) are effective 30 days after the date of their publication in the FEDERAL REGISTER.

This publication also contains amendments to the Administrator's approval/disapprovals pertinent to seven States. For Arkansas, Delaware, Georgia, Illinois, and Minnesota, previous disapprovals are revoked because the States submitted supplemental information which corrected some or all plan defi-

ciencies. For New Hampshire, the table specifying latest dates for attainment of national ambient air quality standards is amended to reflect supplemental information submitted by the State, and for Kansas, a change is made for clarification purposes.

These amendments are effective on the date of their publication in the FEDERAL REGISTER (9-22-72). The Agency finds that good cause exists for not publishing these amendments as a notice of proposed rule making and for making them effective immediately upon publication, for the following reasons:

- (1) The implementation plans were prepared, adopted, and submitted by the States, and reviewed and evaluated by the Administrator pursuant to 40 CFR Part 51, which, prior to promulgation, had been published as a notice of proposed rule making for comment by interested persons,
- (2) The approved implementation plan provisions were adopted in accordance with procedural requirements of State and Federal law, which provided for adequate public participation through notice, public hearings, and time for comments, and consequently further public participation is unnecessary, and
- (3) The Administrator is required by law to promulgate substitute provisions for any regulatory portion of a plan for which no approval is in effect, and a deferred effective date would necessitate promulgation of Federal regulations for State regulations already judged approvable.

Finally, this publication amends the General Provisions of the part (1) by amending § 52.07(a) to make it clear that approval of control strategies and implementing regulations does not supercede requirements relating to specific compliance schedules set forth in § 51.15 of this chapter, and (2) by adding a section which explains the significance of the attainment date table in each subpart and its effect upon compliance by sources with applicable plan requirements. These amendments are for clarification purposes and are effective upon publication in the FEDERAL REGISTER (9-22-72).

(42 U.S.C. 1857c-5 and 9)

Dated: September 15, 1972.

ROBERT W. FRI,
Acting Administrator,
Environmental Protection Agency.

Part 52 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

Subpart A—General Provisions

1. Section 52.01 is amended by revising the existing introductory sentence and adding paragraphs (a) through (f). As amended § 52.01 reads as follows:

§ 52.01 Definitions.

All terms used in this part but not defined herein shall have the meaning given them in the Clean Air Act and in Parts 51 and 60 of this chapter.

(a) The term "stationary source" means any building, structure, facility, or

installation which emits or may emit an air pollutant for which a national standard is in effect.

(b) The term "commenced" means that an owner or operator has undertaken a continuous program of construction or modification.

(c) The term "construction" means fabrication, erection, or installation.

(d) The term "modification" means any physical change in, or change in method of operation of, a stationary source which increases the amount of any air pollutant emitted by such source or which results in the emission of any air pollutant not previously emitted.

(e) The term "startup" means the setting in operation of a source for any purpose.

(f) The term "owner or operator" means any person who owns, leases, operates, controls, or supervises a stationary source.

1a. Section 52.07 is amended by revising paragraph (a) to read as follows:

§ 52.07 Control strategies.

(a) Each subpart specifies in what respects the control strategies are approved or disapproved. Where emission limitations with a future effective date are employed to carry out a control strategy, approval of the control strategy and the implementing regulations does not supercede the requirements of § 51.15 of this chapter relating to compliance schedules for individual sources or categories of sources. Compliance schedules for individual sources or categories of sources must require such sources to comply with applicable requirements of the plan as expeditiously as practicable, where the requirement is part of a control strategy designed to attain a primary standard, or within a reasonable time, where the requirement is part of a control strategy designed to attain a secondary standard. All sources must be required to comply with applicable requirements of the plan no later than the date specified in this part for attainment of the national standard which the requirement is intended to implement.

2. Section 52.11 is amended by adding paragraph (c), as follows:

§ 52.11 Prevention of air pollution emergency episodes.

(c) Where a State plan does not provide for public announcement regarding air pollution emergency episodes or where the State fails to give any such public announcement, the Administrator will issue a public announcement that an episode stage has been reached. When making such an announcement, the Administrator will be guided by the suggested episode criteria and emission control actions suggested in Appendix L of Part 51 of this chapter or those in the approved plan.

3. Subpart A is amended by adding § 52.16, as follows:

§ 52.16 Submission to Administrator.

All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate and addressed to the appropriate Regional Office of the Environmental Protection Agency, to the attention of the Director, Enforcement Division. The Regional Offices are as follows:

Region I (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont), John F. Kennedy Federal Building, Boston, Mass. 02203.

Region II (New York, New Jersey, Puerto Rico, Virgin Islands) Federal Office Building, 26 Federal Plaza (Foley Square), New York, NY 10007.

Region III (Delaware, District of Columbia, Pennsylvania, Maryland, Virginia, West Virginia) Curtis Building, Sixth and Walnut Streets, Philadelphia, PA 19106.

Region IV (Alabama, Florida, Georgia, Mississippi, Kentucky, North Carolina, South Carolina, Tennessee) Suite 300, 1421 Peachtree Street, Atlanta, GA 30309.

Region V (Illinois, Indiana, Minnesota, Michigan, Ohio, Wisconsin) 1 North Wacker Drive, Chicago, IL 60606.

Region VI (Arkansas, Louisiana, New Mexico, Oklahoma, Texas) 1600 Paterson Street, Dallas, TX 75201.

Region VII (Iowa, Kansas, Missouri, Nebraska) 1735 Baltimore Street, Kansas City, MO 64108.

Region VIII (Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming) 916 Lincoln Towers, 1860 Lincoln Street, Denver, CO 80203.

Region IX (Arizona, California, Hawaii, Nevada, Guam, American Samoa) 100 California Street, San Francisco, CA 94111.

Region X (Washington, Oregon, Idaho, Alaska) 1200 Sixth Avenue, Seattle, WA 98101.

4. Subpart A is amended by adding new §§ 52.17 and 52.20, as follows:

§ 52.17 Severability of provisions.

The provisions promulgated in this part and the various applications thereof are distinct and severable. If any provision of this part or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or application of such provision to other persons or circumstances which can be given effect without the invalid provision or application.

§ 52.20 Attainment dates for national standards.

Each subpart contains a section which specifies the latest dates by which national standards are to be attained in each region in the State. Every individual source subject to a control strategy requirement set forth in the plan must comply with such requirement no later than the specified attainment date. However, the specification of attainment dates for national standards does not relieve any State from the provisions of § 51.15 of this chapter which require all sources and categories of sources to comply with applicable requirements of the plan—

(a) As expeditiously as practicable where the requirement is part of a con-

trol strategy designed to attain a primary standard, and

(b) Within a reasonable time where the requirement is part of a control strategy designed to attain a secondary standard.

5. In Subparts E, G, K, L, M, Q, R, S, Y, KK, OO, and QQ, the note beneath the tables setting forth dates of attainment of national standards is amended by replacing the word "proposed" with the word "prescribed." As amended, the note reads:

NOTE: Dates or footnotes which are underlined are prescribed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.

Subpart E—Arkansas

6. In § 52.170, paragraph (c) is revised to read as follows:

§ 52.170 Identification of plan.

(c) Supplemental information was submitted on:

(1) January 25 and February 24, 1972, by the State of Arkansas, Department of Pollution Control and Ecology; and

(2) July 7, 1972.

§ 52.174 [Revoked]

7. Section 52.174 is revoked.

Subpart I—Delaware

8. In § 52.420, paragraph (c) is revised to read as follows:

§ 52.420 Identification of plan.

(c) Supplemental information was submitted on:

(1) February 11, March 10, May 5, June 2, and June 5, 1972, by the Delaware Department of Natural Resources and Environmental Control, and

(2) July 20, 1972.

9. Section 52.422 is revised to read as follows:

§ 52.422 Approval status.

The Administrator approved Delaware's plan for attainment and maintenance of the national standards.

§§ 52.423–52.426 [Revoked]

10. Sections 52.423, 52.424, 52.425, and 52.426 are revoked.

Subpart L—Georgia

11. In § 52.570 paragraph (c) is revised to read as follows:

§ 52.570 Identification of plan.

(c) Supplemental information was submitted on:

(1) March 28, 1972, by the Assistant Attorney General,

(2) February 14, March 9, and May 5, 1972, by the Director of the Air Quality Control Branch, Georgia Department of Health, and

(3) July 31, 1972.

12. Section 52.572 is revised to read as follows:

§ 52.572 Approval status.

The Administrator approves Georgia's plan for attainment and maintenance of the national standards.

§§ 52.573, 52.574 [Revoked]

13. Sections 52.573 and 52.574 are revoked.

Subpart M—Hawaii

14. Section 52.626 is amended by adding paragraph (c), as follows:

§ 52.626 Compliance schedules.

(c) *Federal compliance schedule.* (1) Except as provided in subparagraph (5) of this paragraph, the owner or operator of any stationary source subject to sections 7, 8(a), 11, or 13 of the Hawaii Air Pollution Control Regulations shall comply with such regulation on or before the date specified in such regulation.

(2) Except as provided in subparagraph (5) of this paragraph, the owner or operator of any stationary source subject to section 12 of the Hawaii Air Pollution Control Regulations shall comply with such regulation on or before December 31, 1973.

(3) Any owner or operator in compliance with sections 7, 8(a), 11, 12, or 13 of the Hawaii Air Pollution Control Regulations on the effective date of this regulation shall certify such compliance to the Administrator no later than December 31, 1972.

(4) Any owner or operator who achieves compliance with sections 7, 8(a), 11, 12, or 13 of the Hawaii Air Pollution Control Regulations after the effective date of this regulation shall certify such compliance to the Administrator within 5 days of the date compliance is achieved.

(5) An owner or operator of a stationary source subject to subparagraph (1) or (2) of this paragraph may, no later than December 31, 1972, submit to the Administrator for approval, a proposed compliance schedule that demonstrates compliance with sections 7, 8(a), 11, 12, or 13 of the Hawaii Air Pollution Control Regulations as expeditiously as practicable but no later than July 31, 1975. The compliance schedule shall provide for periodic increments of progress towards compliance. The dates for achievement of such increments shall be specified. Increments of progress shall include, but not be limited to: letting of necessary contracts for construction or process changes, if applicable; initiation of construction; completion and startup of control systems; performance tests; and submittal of performance test analysis and results.

(6) Any owner or operator who submits a compliance schedule pursuant to this paragraph shall, within 5 days after the deadline for each increment of progress, certify to the Administrator whether or not the required increment of the approved compliance schedule has been met.

(7) Any compliance schedule adopted by the State and approved by the Administrator shall satisfy the requirements of this paragraph for the affected source.

15. Section 52.627 is amended by adding paragraph (b), as follows:

§ 52.627 Source surveillance.

(b) *Regulation for source recordkeeping and reporting.* (1) The owner or operator of any stationary source in the State of Hawaii shall, upon notification from the Administrator, maintain records of the nature and amounts of emissions from such source and/or any other information as may be deemed necessary by the Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures.

(2) The information recorded shall be summarized and reported to the Administrator, on forms furnished by the Administrator, and shall be submitted within 45 days after the end of the reporting period. Reporting periods are January 1-June 30 and July 1-December 31, except that the initial reporting period shall commence on the date the Administrator issues notification of the recordkeeping requirements.

(3) Information recorded by the owner or operator and copies of the summarizing reports submitted to the Administrator shall be retained by the owner or operator for 2 years after the date on which the pertinent report is submitted.

(4) Emission data obtained from owners or operators of stationary sources will be correlated with applicable emission limitations and other control measures. All such emission data and correlations will be available during normal business hours at the Pacific Islands Basin Office and the Regional Office (Region IX). The Administrator will designate one or more additional places in Hawaii where such emission data and correlations will be available for public inspection.

Subpart O—Illinois

16. In § 52.720 paragraph (c) is revised to read as follows:

§ 52.720 Identification of plan.

(c) Supplemental information was submitted on:

(1) March 13, April 18, and July 28, 1972, by the Illinois Environmental Protection Agency, and

(2) May 4, 1972.

§§ 52.724, 52.725 [Revoked]

17. Sections 52.724 and 52.725 are revoked.

Subpart Q—Iowa

18. Section 52.823 is amended by adding paragraph (b) as follows:

§ 52.823 General requirements.

(b) *Regulation for public availability of emission data.* Emission data obtained

from owners or operators of stationary sources pursuant to § 52.826(b) will be correlated with applicable emission limitations and other control measures. All such emission data and correlations will be available during normal business hours at the Regional Office (Region VII). The Administrator will designate one or more places in Iowa where such emission data and correlations will be available for public inspection.

19. Section 52.825 is amended by adding paragraph (b) as follows:

§ 52.825 Compliance schedules.

(b) *Regulation for increments of progress.* (1) Except as provided in subparagraph (2) of this paragraph, the owner or operator of any stationary source subject to regulation 43.(3)(b), "Rules and Regulations Relating to Air Pollution Control of the Iowa Air Pollution Control Commission" shall, no later than December 31, 1972, submit to the Administrator for approval, a proposed compliance schedule that demonstrates compliance with the applicable regulation as expeditiously as practicable but no later than January 1, 1975. The compliance schedule shall provide for periodic increments of progress towards compliance. The dates for achievement of such increments shall be specified. Increments of progress shall include, but not be limited to: Letting of necessary contract for construction or process changes, if applicable; initiation of construction; completion and start-up of control system; performance tests; and submittal of performance test analysis and results.

(2) Where any such owner or operator demonstrates to the satisfaction of the Administrator that compliance with the applicable regulations will be achieved on or before December 31, 1973, no compliance schedule shall be required.

(3) Any owner or operator who submits a compliance schedule pursuant to this paragraph shall, within 5 days after the deadline for each increment of progress, certify to the Administrator whether or not the required increment of the approved compliance schedule has been met.

(4) Any compliance schedule adopted by the State and approved by the Administrator shall satisfy the requirements of this paragraph for the affected source.

20. Section 52.826 is amended by adding paragraph (b) as follows:

§ 52.826 Source surveillance.

(b) *Regulation for source recordkeeping and reporting.* (1) The owner or operator of any stationary source in the State of Iowa shall, upon notification from the Administrator, maintain records of the nature and amounts of emission from such source and/or any other information as may be deemed necessary by the Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures.

(2) The information recorded shall be summarized and reported to the Ad-

ministrator, on forms furnished by the Administrator, and shall be submitted within 45 days after the end of the reporting period. Reporting periods are January 1-June 30 and July 1-December 31, except that the initial reporting period shall commence on the date the Administrator issues notification of the recordkeeping requirements.

(3) Information recorded by the owner or operator and copies of the summarizing reports submitted to the Administrator shall be retained by the owner or operator for 2 years after the date on which the pertinent report is submitted.

Subpart R—Kansas

21. Section 52.875 is amended by adding paragraph (b), as follows:

§ 52.875 General requirements.

(b) *Regulation for public availability of emission data.* (1) The owner or operator of any stationary source in the State of Kansas shall, upon notification from the Administrator, maintain records of the nature and amounts of emissions from such source and/or any other information as may be deemed necessary by the Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures.

(2) The information recorded shall be summarized and reported to the Administrator, on forms furnished by the Administrator, and shall be submitted within 45 days after the end of the reporting period. Reporting periods are January 1-June 30 and July 1-December 31, except that the initial reporting period shall commence on the date the Administrator issues notification of the recordkeeping requirements.

(3) Information recorded by the owner or operator and copies of the summarizing reports submitted to the Administrator shall be retained by the owner or operator for 2 years after the date on which the pertinent report is submitted.

(4) Emission data obtained from owners or operators of stationary sources will be correlated with applicable emission limitations and other control measures. All such emission data and correlations will be available during normal business hours at the Regional Office (Region VII). The Administrator will designate one or more places in Kansas where such emission data and correlations will be available for public inspection.

22. In § 52.876, paragraph (a) is revised and paragraph (b) is added. As amended, § 52.876 reads as follows:

§ 52.876 Compliance schedules.

(a) The requirements of § 51.15(a)(1) and (2) of this chapter are not met since the plan does not contain legally enforceable compliance schedules setting forth the dates by which all stationary sources or categories of such sources must be in compliance with applicable portions of the control strategy. Paragraphs C and D of Kansas Regulation 23-19-9 specify that all sources not in

compliance must submit an acceptable compliance schedule within 120 days after receiving notification from the State. There are no assurances that all sources will be notified by the State in a timely manner, therefore, paragraphs C and D of Regulation 28-19-9 are disapproved.

(b) *Federal compliance schedule.* (1) Except as provided in subparagraph (2) of this paragraph, the owner or operator of any stationary source subject to any emission regulation which is part of the approved plan shall be in compliance on or before December 31, 1973.

(1) Any owner or operator in compliance with any such applicable regulation on the effective date of this paragraph shall certify such compliance to the Administrator no later than December 31, 1972.

(ii) Any owner or operator who achieves compliance with any such applicable regulation after the effective date of this paragraph shall certify such compliance to the Administrator within 5 days of the date compliance is achieved.

(2) An owner or operator of a stationary source subject to any emission regulation approved by the Administrator may no later than December 31, 1972, submit to the Administrator for approval a proposed compliance schedule that demonstrates compliance with such regulation as expeditiously as practicable, but no later than July 31, 1975. The compliance schedule shall provide for periodic increments of progress towards compliance. The dates for achievement of such increments shall be specified. Increments of progress shall include, but not be limited to: Letting of necessary contracts for construction or process changes, if applicable; initiation of construction; completion and startup of control systems; performance tests; and submittal of performance test analysis and results.

(3) Any owner or operator who submits a compliance schedule pursuant to this paragraph shall, within 5 days after the deadline for each increment of progress, certify to the Administrator whether or not the required increment of the approved compliance schedule has been met.

(4) Any compliance schedule adopted by the State and approved by the Administrator shall satisfy the requirements of this paragraph for the affected source.

23. In § 52.878, paragraph (a) is revised and paragraph (b) is added. As amended, § 52.878 reads as follows:

§ 52.878 *Review of new sources and modifications.*

(a) The requirements of § 51.18 of this chapter are not met since the plan does not provide legally enforceable procedures to prevent the construction of a new source or the modification of an existing source.

(b) Regulation for review of new sources and modifications:

(1) This requirement is applicable to any stationary source in the State of Kansas, the construction or modification

of which is commenced after the effective date of this regulation.

(2) No owner or operator shall commence construction or modification of any stationary source after the effective date of this regulation without first obtaining approval from the Administrator of the location and design of such source.

(i) Application for approval to construct or modify shall be made on forms furnished by the Administrator, or by other means prescribed by the Administrator.

(ii) A separate application is required for each source.

(iii) Each application shall be signed by the applicant.

(iv) Each application shall be accompanied by site information, plans, descriptions, specifications, and drawings showing the design of the source, the nature and amount of emissions, and the manner in which it will be operated and controlled.

(v) Any additional information, plans, specifications, evidence, or documentation that the Administrator may require shall be furnished upon request.

(3) No approval to construct or modify will be granted unless the applicant shows to the satisfaction of the Administrator that:

(i) The source will be operated without causing a violation of any local, State, or Federal regulation which is part of the applicable plan, and

(ii) The source will not prevent or interfere with attainment or maintenance of any national standard.

(4) The Administrator will act within 60 days on an application and will notify the applicant in writing of his approval, conditional approval, or denial of the application. The Administrator will set forth his reasons for any denial.

(5) The Administrator may impose any reasonable conditions upon an approval, including conditions, requiring the source to be provided with:

(i) Sampling ports of a size, number, and location as the Administrator may require,

(ii) Safe access to each port,

(iii) Instrumentation to monitor and record emission data, and

(iv) Any other sampling and testing facilities.

(6) The Administrator may cancel an approval if the construction is not begun within 2 years from the date of issuance, or if during the construction, work is suspended for 1 year.

(7) Any owner or operator subject to the provisions of this regulation shall furnish the Administrator written notification as follows:

(i) A notification of the anticipated date of initial startup of the source not more than 60 days or less than 30 days prior to such date, and

(ii) A notification of the actual date of initial startup of the source within 15 days after such date.

(8) Within 60 days after achieving the maximum production rate at which the source will be operated but not later than 180 days after initial startup of such source, the owner or operator of such

source shall conduct a performance test(s) in accordance with methods and under operating conditions approved by the Administrator and furnish the Administrator a written report of the results of such performance test.

(i) Such test shall be at the expense of the owner or operator.

(ii) The Administrator may monitor such test and may also conduct performance tests.

(iii) The owner or operator of the source shall provide the Administrator 15 days prior notice of the performance test to afford the Administrator the opportunity to have an observer present.

(9) Approval to construct shall not be required for:

(i) The installation or alteration of an air pollution detector, air pollutants recorder, combustion controller, or combustion shutoff.

(ii) Air conditioning or ventilating systems not designed to remove air pollutants generated by or released from equipment.

(iii) Fuel burning equipment, other than smokehouse generators, which uses gas as a fuel for space heating, air conditioning, or heating water; is used in a private dwelling; or has a heat input of not more than 350,000 B.t.u. per hour (88.2 million gm-cal/hr.).

(iv) Mobile internal combustion engines.

(v) Laboratory equipment used exclusively for chemical or physical analyses.

(10) Approval to construct or modify shall not relieve any owner or operator of the responsibility to comply with all local, State, and Federal regulations which are part of the applicable plan.

Subpart Y—Minnesota

27. In § 52.1220, paragraph (c) is revised to read as follows:

§ 52.1220 *Identification of plan.*

(c) Supplemental information was submitted on:

(1) February 7, March 27, April 28, and May 2, 1972, by the Minnesota Pollution Control Agency,

(2) June 15, 1972, by the Assistant Attorney General, and

(3) July 25, 1972.

28. Section 52.1224 is amended by adding paragraph (b), as follows:

§ 52.1224 *General requirements.*

(b) *Regulation for public availability of emission data.* (1) The owner or operator of any stationary source in the State of Minnesota shall, upon notification from the Administrator, maintain records of the nature and amounts of emissions from such source and/or any other information as may be deemed necessary by the Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures.

(2) The information recorded shall be summarized and reported to the Administrator, on forms furnished by the Administrator, and shall be submitted

within 45 days after the end of the reporting period. Reporting periods are January 1 to June 30 and July 1 to December 31, except that the initial reporting period shall commence on the date the Administrator issues notification of the recordkeeping requirements.

(3) Information recorded by the owner or operator and copies of the summarizing reports submitted to the Administrator shall be retained by the owner or operator for 2 years after the date on which the pertinent report is submitted.

(4) Emission data obtained from owners or operators of stationary sources will be correlated with applicable emission limitations and other control measures. All such emission data and correlations will be available during normal business hours at the Regional Office (Region V). The Administrator will designate one or more places in Minnesota where such emission data and correlations will be available for public inspection.

§ 52.1225 [Revoked]

29. Section 52.1225 is revoked.

Subpart EE—New Hampshire

30. In § 52.1520, paragraph (c) is revised to read as follows:

§ 52.1520 Identification of plan.

(c) Supplemental information was submitted on February 23, March 23, and August 8, 1972, by the New Hampshire Air Pollution Control Agency.

31. Section 52.1523 is revised to read as follows:

§ 52.1523 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in New Hampshire's plan.

Air quality control region	Pollutant					
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide
	Primary	Secondary	Primary	Secondary		
Androscoggin Valley Interstate.	July 1975	July 1976	July 1976	July 1976	(*)	(*)
Central New Hampshire Intrastate.	(*)	(*)	(*)	(*)	(*)	(*)
Merrimack Valley, Southern New Hampshire Interstate.	July 1975	July 1976	July 1976	July 1976	(*)	(*)

*Air quality levels presently below secondary standards.

Subpart OO—Rhode Island

32. Section 52.2073 is amended by adding paragraph (b) as follows:

§ 52.2073 General requirements.

(b) Regulation for public availability of emission data. (1) Emission data obtained from owners or operators of stationary sources pursuant to § 52.2075(b) will be correlated with applicable emission limitations and other control measures. All such emission data and correlations will be available during normal business hours at the Regional Office (Region I). The Administrator will designate one or more places in Rhode Island where such emission data and correlations will be available for public inspection.

33. Section 52.2075 is amended by adding paragraph (b) as follows:

§ 52.2075 Source surveillance.

(b) Regulation for source recordkeeping and reporting. (1) The owner or operator of any stationary source in the State of Rhode Island shall, upon notification from the Administrator, maintain records of the nature and amounts of emissions from such source/or any other information as may be deemed necessary by the Administrator to determine

whether such source is in compliance with applicable emission limitations or other control measures.

(2) The information recorded shall be summarized and reported to the Administrator, on forms furnished by the Administrator, and shall be submitted within 45 days after the end of the reporting period. Reporting periods are January 1-June 30 and July 1-December 31, except that the initial reporting period shall commence on the date the Administrator issues notification of the recordkeeping requirements.

(3) Information recorded by the owner or operator and copies of the summarizing reports submitted to the Administrator shall be retained by the owner or operator for 2 years after the date on which the pertinent report is submitted.

Subpart UU—Vermont

34. Section 52.2374 is amended by adding paragraph (b) as follows:

§ 52.2374 General requirements.

(b) Regulation for public availability of emission data. (1) The owner or operator of any stationary source in the State of Vermont shall, upon notification from the Administrator, maintain records of the nature and amounts of emissions from such source and/or any other in-

formation as may be deemed necessary by the Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures.

(2) The information recorded shall be summarized and reported to the Administrator, on forms furnished by the Administrator, and shall be submitted within 45 days after the end of the reporting period. Reporting periods are January 1-June 30 and July 1-December 31, except that the initial reporting period shall commence on the date the Administrator issues notification of the recordkeeping requirements.

(3) Information recorded by the owner or operator and copies of the summarizing reports submitted to the Administrator shall be retained by the owner or operator for 2 years after the date on which the pertinent report is submitted.

(4) Emission data obtained from owners or operators of stationary sources will be correlated with applicable emission limitations and other control measures. All such emission data and correlations will be available during normal business hours at the Regional Office (Region I). The Administrator will designate one or more places in Vermont where such emission data and correlations will be available for public inspection.

Subpart ZZ—Wyoming

35. Section 52.2624 is amended by adding paragraph (b), as follows:

§ 52.2624 General requirements.

(b) Regulation for public availability of emission data. Emission data obtained from owners or operators of stationary sources pursuant to § 52.2626 will be correlated with applicable emission limitations and other control measures. All such emission data and correlations will be available during normal business hours at the Regional Office (Region VIII). The Administrator will designate one or more places in Wyoming where such emission data and correlations will be available for public inspection.

36. Section 52.2625 is amended by adding paragraph (b), as follows:

§ 52.2625 Review of new sources and modifications.

(b) Regulation for review of new sources and modifications. (1) This requirement is applicable to any stationary source in the State of Wyoming, the construction or modification of which is commenced after the effective date of this regulation.

(2) No owner or operator shall commence construction or modification of any stationary source after the effective date of this regulation without first obtaining approval from the Administrator of the location and design of such source.

(1) Application for approval to construct or modify shall be made on forms furnished by the Administrator, or by other means prescribed by the Administrator.

(ii) A separate application is required for each source.

(iii) Each application shall be signed by the applicant.

(iv) Each application shall be accompanied by site information, plans, descriptions, specifications and drawings showing the design of the source, the nature and amount of emissions, and the manner in which it will be operated and controlled.

(v) Any additional information, plans, specifications, evidence or documentation that the Administrator may require shall be furnished upon request.

(3) No approval to construct or modify will be granted unless the applicant shows to the satisfaction of the Administrator that:

(i) The source will operate without causing a violation of any local, State, or Federal regulation which is part of the applicable plan; and

(ii) The source will not prevent or interfere with attainment or maintenance of any national standard.

(4) The Administrator will act within 60 days on an application and will notify the applicant in writing of his approval, conditional approval, or denial of the application. The Administrator will set forth his reasons for any denial.

(5) The Administrator may impose any reasonable conditions upon an approval, including conditions requiring the source to be provided with:

(i) Sampling ports of a size, number, and location as the Administrator may require,

(ii) Safe access to each port,

(iii) Instrumentation to monitor and record emission data, and

(iv) Any other sampling and testing facilities.

(6) The Administrator may cancel an approval if the construction is not begun within 2 years from the date of issuance, or if during the construction work is suspended for 1 year.

(7) Any owner or operator subject to the provisions of this regulation shall furnish the Administrator written notification as follows:

(i) A notification of the anticipated date of initial startup of the source not more than 60 days or less than 30 days prior to such date.

(ii) A notification of the actual date of initial startup of a source within 15 days after such date.

(8) Within 60 days after achieving the maximum production rate at which the source will be operated, but not later than 180 days after initial startup of such source, the owner or operator of such source shall conduct a performance test(s) in accordance with methods and under operating conditions approved by the Administrator and furnish the Administrator a written report of the results of such performance test.

(i) Such test shall be at the expense of the owner or operator.

(ii) The Administrator may monitor such test and may also conduct performance tests.

(iii) The owner or operator of a source shall provide the Administrator 15 days

prior notice of the performance test to afford the Administrator the opportunity to have an observer present.

(9) Approval to construct shall not be required for:

(i) The installation or alteration of an air pollutant detector, air pollutants recorder, combustion controller, or combustion shutoff.

(ii) Air conditioning or ventilating systems not designed to remove air pollutants generated by or released from equipment.

(iii) Fuel burning equipment, other than smokehouse generators, which uses gas as a fuel for space heating, air conditioning, or heating water; is used in a private dwelling; or has a heat input of not more than 350,000 B.t.u. per hour (88.2 million gm-cal/hr.).

(iv) Mobile internal combustion engines.

(v) Laboratory equipment used exclusively for chemical or physical analyses.

(vi) Other source of minor significance specified by the Administrator.

(10) Approval to construct or modify shall not relieve any owner or operator of the responsibility to comply with all local, State, and Federal regulations which are part of the applicable plan.

37. Section 52.2626 is amended by adding paragraph (b), as follows:

§ 52.2626 Source surveillance.

(b) *Regulation for source recordkeeping and reporting.* (1) The owner or operator of any stationary source in the State of Wyoming shall, upon notification from the Administrator, maintain records of the nature and amounts of emissions from such source and/or any other information as may be deemed necessary by the Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures.

(2) The information recorded shall be summarized and reported to the Administrator, on forms furnished by the Administrator, and shall be submitted within 45 days after the end of the reporting period. Reporting periods are January 1-June 30 and July 1-December 31, except that the initial reporting period shall commence on the date the Administrator issues notification of the recordkeeping requirements.

(3) Information recorded by the owner or operator and copies of the summarizing reports submitted to the Administrator shall be retained by the owner or operator for 2 years after the date on which the pertinent report is submitted.

[FR Doc.72-16037 Filed 9-21-72; 8:45 am]

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Miscellaneous Amendments

On May 31, 1972 (37 F.R. 10842), pursuant to section 110 of the Clean Air Act and 40 CFR Part 51, the Administrator

approved, with specific exceptions, State plans for implementation of the national ambient air quality standards. The amendments set forth below revise the Administrator's approval/disapproval of plans for California, the District of Columbia and New York, and are based upon supplemental information submitted to the Administrator by those States.

These amendments are effective on the date of their publication in the FEDERAL REGISTER (9-22-72). The Agency finds that good cause exists for not publishing these regulations as a notice of proposed rule making and for making them effective immediately upon publication, for the following reasons:

(1) The implementation plans were prepared, adopted, and submitted by the States, and reviewed and evaluated by the Administrator pursuant to 40 CFR Part 51, which, prior to promulgation, had been published as a notice of proposed rule making for comment by interested persons, and

(2) The approved implementation plan provisions were adopted in accordance with procedural requirements of State and Federal law, which provided for adequate public participation through notice, public hearings, and time for comment, and consequently further public participation is unnecessary.

(42 U.S.C. 1857c-5)

Dated: September 15, 1972.

ROBERT W. FRX,
Acting Administrator.

Part 52 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

Subpart F—California

1. In § 52.220, paragraph (c) is revised to read as follows:

§ 52.220 Identification of plan.

(c) Supplemental information was submitted on:

(1) April 3, 10, 19, 21, 26, May 5, and July 19, 1972, by the California Air Resources Board

(2) June 30, 1972.

2. In § 52.222, paragraph (b) is revised to read as follows:

§ 52.222 Extensions.

(b) The Administrator hereby extends for 2 years the attainment date for the national standards for carbon monoxide in the Sacramento Valley Intrastate Region and the national standard for photochemical oxidants (hydrocarbons) in the San Francisco Bay Area, Metropolitan Los Angeles, Sacramento Valley, and Southeast Desert Intrastate Regions.

3. Section 52.224 is revised to read as follows:

§ 52.224 General requirements.

(a) The requirements of § 51.10(e) of this chapter are not met except in the Ventura County Air Pollution Control District portion of the Metropolitan Los Angeles Intrastate Region since the plan does not provide procedures by which

emission data, as correlated with applicable emission limitations, will be made available to the public.

§ 52.226 [Amended]

4. In § 52.226, paragraph (b) is revoked.

5. In § 52.227, paragraph (b) is revised to read as follows:

§ 52.227 Control strategy and regulations: Particulate matter, Metropolitan Los Angeles Intra-state Region.

(b) The following regulations are disapproved since they are not part of the approved control strategy and do not provide for the degree of control needed for the attainment and maintenance of the primary standards for particulate matter in the Metropolitan Los Angeles Intra-state Region.

(1) Los Angeles County Air Pollution Control District:

(i) Regulation IV, Rule 68.1.

(2) Riverside County Air Pollution Control District:

(i) Regulation IV, Rule 54 for process sources with a process weight rate in excess of 62,000 lbs. per hour. Rule 54 is approved for process sources with a process weight of 62,000 lbs. per hour or less.

6. Section 52.228 is revised to read as follows:

§ 52.228 Regulations: Particulate matter, Southeast Desert Intra-state Region.

(a) The following regulations are disapproved since they are not part of the approved control strategy and do not provide for the degree of control needed for the attainment and maintenance of the national standards for particulate matter in the Southeast Desert Intra-state Region.

(1) Imperial County Air Pollution Control District:

(i) Rule 114A.
(ii) Rule 116B.

(2) Los Angeles County Air Pollution Control District:

(i) Regulation IV, Rule 68.1.

(3) Riverside County Air Pollution Control District:

(i) Regulation IV, Rule 54 for process sources with a process weight rate in excess of 160,000 lbs. per hour. Rule 54 is approved for process sources with a process weight of 160,000 lbs. per hour or less.

§ 52.229 [Amended]

7. In § 52.229, paragraph (b) is revoked.

8. In § 52.230, paragraph (a) is amended by adding a second sentence as follows:

§ 52.230 Control strategy: Nitrogen dioxide, Metropolitan Los Angeles Intra-state Region.

(a) * * * Therefore, Rule 68.b of the Orange County Air Pollution Control District is disapproved.

§ 52.232 [Revoked]

9. Section 52.232 is revoked.

10. In § 52.233, paragraph (a) is revoked and paragraphs (b), (c), (d), and

(e) are revised. As amended § 52.233 reads as follows:

§ 52.233 Review of new sources and modifications.

(a) [Revoked.]

(b) The requirements of § 51.18 of this chapter are not met since the regulations of the Sacramento County Air Pollution Control District in the Sacramento Valley Intra-state Region do not provide procedures for the review of new sources and modifications.

(c) The requirements of § 51.18 (a) and (c) of this chapter are not met in the indicated portions of the following regions since the regulations of the Air Pollution Control Districts (APCD) do not provide the means to prevent construction of sources which would violate applicable portions of the control strategy or would interfere with attainment or maintenance of a national standard.

(1) Metropolitan Los Angeles Intra-state:

- (i) Santa Barbara County APCD.
- (ii) South Central Coast Intra-state:
- (i) Santa Barbara County APCD.
- (3) San Joaquin Valley Intra-state:
- (i) Mariposa County APCD.

(d) The requirements of § 51.18(c) of this chapter are not met in the indicated portions of the following Regions since the regulations of the Air Pollution Control Districts (APCD) do not include a means to prevent construction or modification if such construction or modification would interfere with the attainment and maintenance of a national standard.

- (1) Great Basin Valley Intra-state:
- (i) Mono County APCD.
- (ii) Inyo County APCD.
- (iii) Alpine County APCD.
- (2) Metropolitan Los Angeles Intra-state:

(i) Los Angeles County APCD.
(ii) Orange County APCD.
(iii) Riverside County APCD.
(iv) San Bernardino County APCD.
(3) North Central Coast Intra-state:

- (i) Monterey-Santa Cruz Unified APCD.
- (ii) San Benito County APCD.
- (4) North Coast Intra-state:
- (i) Humboldt County APCD.
- (ii) Mendocino County APCD.
- (iii) Siskiyou County APCD.
- (iv) Lake County APCD.
- (5) Northeast Plateau Intra-state:
- (i) Lassen County APCD.
- (ii) Siskiyou County APCD.
- (iii) Modoc County APCD.
- (iv) Shasta County APCD.

(6) Sacramento Valley Intra-state:

- (i) El Dorado County APCD.
- (ii) Nevada County APCD.
- (iii) Placer County APCD.
- (iv) Plumas County APCD.
- (v) Sierra County APCD.
- (vi) Yolo-Solano Unified APCD.
- (vii) Shasta County APCD.
- (viii) Glenn County APCD.
- (ix) Sutter County APCD.
- (7) San Diego Intra-state:
- (i) San Diego County APCD.
- (c) Southeast Desert Intra-state:
- (i) Los Angeles County APCD.
- (ii) Riverside County APCD.
- (iii) San Bernardino County APCD.
- (iv) San Diego County APCD.
- (v) Kern County APCD.
- (9) San Francisco Bay Area Intra-state:

- (i) Yolo-Solano Unified APCD.
- (ii) Sonoma County APCD.
- (10) San Joaquin Valley Intra-state:
- (i) San Joaquin County APCD.
- (ii) Stanislaus County APCD.
- (iii) Merced County APCD.
- (iv) Tulare County APCD.
- (v) Tuolumne County APCD.
- (vi) Kings County APCD.
- (vii) Fresno County APCD.
- (viii) Madera County APCD.
- (ix) Kern County APCD.
- (x) Calaveras County APCD.
- (xi) Amador County APCD.

(e) The requirements of §§ 51.18 and 51.22 of this chapter are not met since the regulations for review of new sources and modifications submitted in the plan for the Ventura County Air Pollution Control District in the Metropolitan Los Angeles Intra-state Region are proposed and are not legally enforceable.

11. In § 52.234, paragraph (a) is revised to read as follows:

§ 52.234 Source surveillance.

(a) The requirements of § 51.19 of this chapter are not met, except in the Mendocino County Air Pollution Control District and Lake County Air Pollution Control District portions of the North Coast Intra-state Region, since the plan does not provide for recordkeeping and periodic reporting of emission data by sources.

§ 52.236 [Revoked]

12. Section 52.236 is revoked.

§ 52.238 [Amended]

13. The table in § 52.238 is revised to read as follows:

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
North Coast Intra-state.	(c).....	(c).....	(c).....	(c).....	(c).....	(c).....	(c).....
San Francisco Bay Intra-state.	(c).....	(c).....	(c).....	(c).....	July 1975	July 1975	July 1975
North Central Coast Intra-state.	(c).....	(c).....	(c).....	(c).....	(c).....	(c).....	(c).....
South Central Coast Intra-state.	(c).....	(c).....	(c).....	(c).....	(c).....	(c).....	(c).....

Footnotes at end of table.

§ 52.476 Compliance schedules.
 (a) The requirements of § 51.15(c) of this chapter are not met since § 8-2:704 and § 8-2:705 of the "Air Quality Control Regulations of the District of Columbia" contain compliance schedules which extend beyond 18 months but do not provide for increments of progress.

§§ 52.477-52.480 [Revoked]
 18. Sections 52.477, 52.478, 52.479, and 52.480 are revoked.
 19. Section 52.481 is revised to read as follows:

§ 52.481 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in the District of Columbia plan.

Air quality control region	Pollutant			
	Particulate matter		Sulfur oxides	
	Primary	Secondary	Primary	Secondary
National Capital Inter. state.	July 1976	July 1976	July 1976	July 1976

Photoc hemical oxidants (hydro-carbons)
 Nitrogen dioxide
 Carbon monoxide
 July 1976..... July 1976..... July 1976..... July 1976.....

tion of the New Jersey-New York-Connecticut Interstate Region.
 (c) New York's request under § 51.30 of this chapter pertinent to carbon monoxide in the Niagara Frontier and Hudson Valley Intrastate Regions are disapproved since the plan demonstrates that the national standards are being maintained.

(d) New York's request under § 51.30 of this chapter pertinent to carbon monoxide in the Genesee-Finger Lakes Intrastate Region is disapproved since the plan demonstrates that the national standards will be attained by July 1975.

(e) New York's requests under § 51.31 of this chapter pertinent to sulfur oxides in the Hudson Valley, Genesee-Finger Lakes, and Southern Tier West Intrastate Regions are disapproved because New York failed to show that attainment of the secondary standards will require emission reductions exceeding

(b) The above plan was officially submitted on January 31, 1972, by the Mayor-Commissioner.

(c) Supplemental information to the above plan was submitted on April 28, 1972, by the Department of Environmental Services and on July 7, 1972, by the Mayor-Commissioner.

(d) The control strategies for sulfur oxides and particulate matter were defined by the District's "Implementation Plan for Controlling Sulfur Oxide and Particulate Air Pollutants" submitted on August 14, 1970.

§§ 52.473-52.475 [Revoked]

16. Sections 52.473, 52.474, and 52.475 are revoked.

17. Section 52.476 is revised to read as follows:

Air quality control region	Pollutant			
	Particulate matter		Sulfur oxides	
	Primary	Secondary	Primary	Secondary
National Capital Inter. state.	July 1976	July 1976	July 1976	July 1976

tion of the New Jersey-New York-Connecticut Interstate Region.
 (c) New York's request under § 51.30 of this chapter pertinent to carbon monoxide in the Niagara Frontier and Hudson Valley Intrastate Regions are disapproved since the plan demonstrates that the national standards are being maintained.

(d) New York's request under § 51.30 of this chapter pertinent to carbon monoxide in the Genesee-Finger Lakes Intrastate Region is disapproved since the plan demonstrates that the national standards will be attained by July 1975.

(e) New York's requests under § 51.31 of this chapter pertinent to sulfur oxides in the Hudson Valley, Genesee-Finger Lakes, and Southern Tier West Intrastate Regions are disapproved because New York failed to show that attainment of the secondary standards will require emission reductions exceeding

(b) The above plan was officially submitted on January 31, 1972, by the Mayor-Commissioner.
 (c) Supplemental information to the above plan was submitted on April 28, 1972, by the Department of Environmental Services and on July 7, 1972, by the Mayor-Commissioner.
 (d) The control strategies for sulfur oxides and particulate matter were defined by the District's "Implementation Plan for Controlling Sulfur Oxide and Particulate Air Pollutants" submitted on August 14, 1970.

§§ 52.473-52.475 [Revoked]
 16. Sections 52.473, 52.474, and 52.475 are revoked.
 17. Section 52.476 is revised to read as follows:

Air quality control region	Pollutant			
	Particulate matter		Sulfur oxides	
	Primary	Secondary	Primary	Secondary
Metropolitan Los Angeles Intra-state.	July 1975	(*)	(*)	July 1977
San Joaquin Valley Intra-state.	(*)	(*)	(*)	July 1976
San Diego Intra-state.	(*)	(*)	(*)	(*)
Northeast Plateau Intra-state.	(*)	(*)	(*)	July 1977
Sacramento Valley Intra-state.	July 1976	(*)	(*)	July 1976
San Joaquin Valley Intra-state.	(*)	(*)	(*)	(*)
Central Valley Intra-state.	(*)	(*)	(*)	(*)
Southeast Intra-state.	(*)	(*)	(*)	(*)

Note.—References which are in Italic are proposed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.

* Three years from plan approval.
 * Five years from plan approval.
 * 18-month extension granted.
 * Air quality levels presently below primary standards.
 * Air quality levels presently below secondary standards.

14. In Subpart F, § 52.240 is added as follows:

§ 52.240 Compliance schedules.
 (a) The requirements of § 51.15(c) of this chapter are not met in the following Regions since the regulations of the indicated Air Pollution Control Districts (APCD) do not provide increments to progress toward compliance.
 (1) Metropolitan Los Angeles Intra-state:
 (i) Rules 50-A, 52-A, 53-A(a), 53-A(b), 53-A(c), 53.2, 53.3, 54.A, 58.A, 62.1, 68, 69, 70, and 71 of the San Bernardino County APCD.
 (ii) Rules 53, 72.1, and 72.2 of the Riverside County APCD.
 (6) San Joaquin Valley Intra-state:
 (i) Rule 409 of the Tulare County APCD.
 (b) The requirements of § 51.15(b) are not met since Rule 68.a of the Orange County Air Pollution Control District does not provide for compliance within 3 years after the Administrator's approval of the plan.

Subpart J—District of Columbia
 15. Section 52.470 is revised to read as follows:

§ 52.470 Identification of plan.
 (a) Title of plan: "Implementation Plan for the Control of Carbon Monoxide, Nitrogen Dioxide, Hydrocarbons, and Oxidants."

(b) Title of plan: "Implementation Plan for the Control of Carbon Monoxide, Nitrogen Dioxide, Hydrocarbons, and Oxidants."

(c) Title of plan: "Implementation Plan for the Control of Carbon Monoxide, Nitrogen Dioxide, Hydrocarbons, and Oxidants."

(d) Title of plan: "Implementation Plan for the Control of Carbon Monoxide, Nitrogen Dioxide, Hydrocarbons, and Oxidants."

(e) Title of plan: "Implementation Plan for the Control of Carbon Monoxide, Nitrogen Dioxide, Hydrocarbons, and Oxidants."

(f) Title of plan: "Implementation Plan for the Control of Carbon Monoxide, Nitrogen Dioxide, Hydrocarbons, and Oxidants."

those which can be achieved through the application of reasonably available control technology.

§ 52.1674 [Revoked]

22. Section 52.1674 is revoked.

23. In § 52.1675, paragraphs (a), (b), and (c) are revised and paragraph (d) is added. As amended, § 52.1675 reads as follows:

§ 52.1675 Control strategy and regulations: Sulfur oxides.

(a) The requirements of § 51.13 of this chapter are not met since New York's plans do not provide for attainment and maintenance of the national standards for sulfur oxides in the Hudson Valley Intrastate Region and the secondary standards for sulfur oxides in the Genesee-Finger Lakes and Southern Tier West Intrastate Regions.

(b) The requirements of § 51.13 of this chapter are not met since New York's plans do not provide for maintenance of the secondary standards for sulfur oxides in the Central New York Intrastate Region.

(c) Part 226 of subchapter A, chapter III, title 6 of New York State's Official Compilation of Codes, Rules and Regulations, as it applies to those Regions listed in paragraphs (a) and (b) of this section, is disapproved.

(d) Section 225.3(e) of subchapter A, chapter III, title 6 of New York State's Official Compilation of Codes, Rules and Regulations, is disapproved since it does not provide for the type of permanent control necessary to assure attainment and maintenance of national standards.

24. Section 52.1676 is revised to read as follows:

§ 52.1676 Control strategy: Nitrogen dioxide.

(a) The requirements of § 51.14(c) (3) of this chapter are not met since the plans do not provide for the degree of nitrogen oxides emission reduction attainable through the application of reasonably available control technology in the Niagara Frontier and Genesee-Finger Lakes Intrastate Regions and in the New York portion of the New Jersey-New York-Connecticut Interstate Region.

25. In § 52.1677, paragraph (a) is revised and paragraph (b) is added. As amended, § 52.1677 reads as follows:

§ 52.1677 Compliance schedules.

(a) The requirements of § 51.15(b) of this chapter are not met since the compliance schedule for part 220 of subchapter A, chapter III, title 6 of New York State's Official Compilation of Codes, Rules and Regulations, does not provide for attainment and maintenance of the national standards for particulate matter by the dates required by the Act.

(b) The requirements of § 51.15(c) of this chapter are not met since sections 205.10(c), 223.1(a), 225.3(c), 230.2(c), and 230.2(d) of subchapter A, chapter III, title 6 of New York State's Official Compilation of Codes, Rules and Regulations do not require the reporting of periodic increments of progress toward

compliance by affected sources or categories of sources.

§§ 52.1678-52.1681 [Revoked]

26. Sections 52.1678, 52.1679, 52.1680, and 52.1681 are revoked.

27. Section 52.1682 is revised to read as follows:

§ 52.1682 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information in New York's plans, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
Niagara Frontier Intrastate	July 1977	(c)	July 1977	(c)	July 1975	(c)	(c)
Champlain Valley Interstate	(c)	(c)	(c)	(c)	(c)	(c)	(c)
Central New York Intrastate	July 1975	(c)	(c)	(c)	(c)	(c)	(c)
Genesee-Finger Lakes Intrastate	(c)	(c)	(c)	July 1975	July 1975	(c)	(c)
Hudson Valley Intrastate	(c)	(c)	July 1975	July 1975	(c)	(c)	(c)
Southern Tier East Intrastate	(c)	(c)	(c)	(c)	(c)	(c)	(c)
Southern Tier West Intrastate	(c)	(c)	(c)	July 1975	(c)	(c)	(c)
New Jersey-New York-Connecticut Interstate	July 1977	(c)	(c)	(c)	July 1975	July 1977	July 1977

Note: References which are in Italic are prepared by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.

- Three years from plan approval.
- Five years from plan approval.
- 18-month extension granted.
- Air quality levels presently below primary standards.
- Air quality levels presently below secondary standards.

28. In § 52.1683, paragraph (a) (1) is revised to read as follows:

§ 52.1683 Transportation and land-use controls.

(a) . . .

(1) No later than February 15, 1973, a detailed timetable for implementing the legislative authority, regulations, and administrative policies required for carrying out the transportation controls by 1977.

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Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 1—Federal Procurement Regulations

PART 1-1—GENERAL

Subpart 1-1.3—General Policies

PROCUREMENT OF ITEMS USING JEWEL BEARINGS

This amendment revises § 1-1.310, Procurement of items using jewel bearings, to add definitions for jewel bearings and to prescribe the Federal Supply Classes and Groups where compliance with the section is mandatory. The amendment reemphasizes the policy of procuring items containing jewel bearings from the William Langer Jewel

Bearing Plant, sets forth the limited exceptions to such policy and procedures, and prescribes a new clause for mandatory use by Federal agencies in procuring items containing jewel bearings.

Section 1-1.319 is revised, as follows:

§ 1-1.319 Procurement of items using jewel bearings.

(a) *General.* To maintain a jewel bearing production facility in the United States as a part of the industrial mobilization base, the Government owns and, through a contractor, operates the William Langer Jewel Bearing Plant at Rolla, N. Dak. The Director, Office of Emergency Preparedness, has requested that agencies use this source in order to promote the use of this plant as an established domestic source of jewel bearings.

(b) *Definitions.* As used in this subpart the following terms have the meanings set forth in this paragraph:

(1) "Jewel bearing" means a piece of synthetic sapphire or ruby of any shape, except a phonograph needle, which has one or more polished surfaces and which is suitable for use in an instrument, mechanism, subassembly, or part without any additional processing. A jewel bearing may be either unmounted or mounted into a ring or bushing. Examples of jewel bearings are: Watch holes—olive, watch holes—straight, pallet stones, roller jewels (jewel pins), end stones (caps), vee (cone) jewels, instrument rings, cups, double cups, and orifice jewels. As used herein, the term "jewel bearings" includes "related items."

