

companies shall achieve compliance by the designated December 31, 1985 deadline if control equipment is necessary.

EPA Evaluation

Based on our review of these PFCs, EPA is today announcing final approval of these PFCs as SIP revisions. This approval is based in part on the State's demonstration that Reasonable Further Progress (RFP) in attaining the ozone NAAQS will not be significantly affected by the plans, and on the evidence that the plans will achieve compliance as expeditiously as possible.

The State has determined that each of the 5 PFCs will maintain RFP in reducing VOC emissions in the Metropolitan Baltimore Intrastate AQCR. The Maryland Department of Health and Mental Hygiene (DHMH) has estimated VOC emissions for each company for 1980, 1982, and 1987, and has demonstrated that each company will effectively reduce VOC emissions over the eight year period, with full compliance being achieved by, or before, 1987. In the Metropolitan Baltimore Intrastate AQCR, VOC emissions as a result of the five PFCs will be reduced from 14,070 tons VOC/year in 1980 to 3,980 tons VOC/year in 1987 resulting in a 10,090 tons VOC/year incremental reduction in total regional VOC emissions. The conclusions concerning the expeditiousness of the PFCs are based upon detailed discussions with each company and the EPA policy statements for Can Coating Operations and Automobile Assembly Plant Operations that are cited in this Notice.

Each company is committed to submit to the DHMH either quarterly or semi-annual progress reports consisting of the reporting requirements specified in each company's PFC. Additionally, each company must notify the DHMH immediately of any inability to meet the increments of progress required by the PFCs, including the reasons for noncompliance with the requirements.

Conclusion

These SIP revisions meet the requirements of Section 110(a)(2) of the Clean Air Act and 40 CFR Part 51, Requirements for Preparation, Adoption, and Submittal of State Implementation Plans.

The Office of Management and Budget has exempted these rules from the requirements of Section 3 of Executive Order 12291.

Under Section 307(b)(1) of the Act, petitions for judicial review of these

actions must be filed in the United States Court of Appeals for the appropriate circuit by (60 days from today). These actions may not be challenged later in proceedings to enforce their requirements. (See 307(b)(2)).

Note.—Incorporation by reference of the State Implementation Plan for the State of Maryland was approved by the Director of the Federal Register on July 1, 1982.

List of Subjects in 40 CFR 52

Air pollution control, Ozone, Sulfur oxides, Nitrogen dioxide, Lead, Particulate matter, Carbon monoxide, Hydrocarbons, Incorporation by reference.

(42 U.S.C. 7401-7642)

Dated: February 15, 1985.

Lee M. Thomas,
Administrator.

PART 52—[AMENDED]

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

Subpart V—Maryland

In § 52.1070, Identification of Plan, paragraph (c) is amended by adding the following paragraphs (c)(75)–(79):

§ 52.1070 Identification of plan.

* * * * *

(c) * * *

(75) Revision submitted by the State of Maryland on December 13, 1983 consisting of a Plan for Compliance for the General Motors Corporation, GM Assembly Division, Baltimore City Plant.

(76) Revision submitted by the State of Maryland on December 13, 1983 consisting of a Plan for Compliance for the American Can Company, Baltimore City.

(77) Revision submitted by the State of Maryland on December 13, 1983 consisting of a Plan for Compliance for the National Can Corporation, Baltimore County.

(78) Revision submitted by the State of Maryland on April 6, 1984 consisting of a Plan for Compliance for the Crown Cork and Seal Company, Inc., Baltimore City.

(79) Revision submitted by the State of Maryland on April 6, 1984 consisting of a Plan for Compliance for the Continental Can Company, Baltimore City.

[FR Doc. 85-4364 Filed 2-25-85; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 52

[A-3-FRL-2780-4; EPA Docket Nos. AM600/601/602/603PA]

Approval of Revisions to the Pennsylvania State Implementation Plan

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: This notice approves portions of the 1982 Ozone and Carbon Monoxide State Implementation Plan submitted by the Commonwealth of Pennsylvania on June 30, 1982 and October 24, 1983.

The intended effect of this SIP revision is to provide for attainment of the primary National Ambient Air Quality Standards for Ozone and Carbon Monoxide as required under Part D of the Clean Air Act Amendments of 1977 in the Philadelphia, Pittsburgh, and Allentown-Bethlehem-Easton nonattainment areas.

EFFECTIVE DATE: February 26, 1985.

ADDRESSES: Copies of Pennsylvania's submittals, EPA's Technical Support Document, and any related supporting material are available for public inspection during normal business hours at the following locations:

U.S. Environmental Protection Agency,
Air Management Division, Curtis Building, 8th & Walnut Streets, Philadelphia, PA 19106, ATTN: Ms. Eileen M. Glen

Pennsylvania Department of Environmental Resources, Bureau of Air Quality Control, Fulton Bank Building, 200 N. 3rd Street, Harrisburg, PA 17120, ATTN: Mr. Gary Triplett

Public Information Reference Unit, Room 2922, EPA Library, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, DC 20460

Office of the Federal Register, 1100 L Street, N.W., Room 8401, Washington, DC

FOR FURTHER INFORMATION CONTACT: Ms. Eileen M. Glen, Pennsylvania Air Program Manager, at the EPA Region III address above or telephone (215) 597-8379.

SUPPLEMENTARY INFORMATION: In response to provisions of the 1977 Amendments to the Clean Air Act, the Commonwealth of Pennsylvania submitted to EPA several revisions to its SIP for ozone and carbon monoxide. EPA approved some of these revisions on May 20, 1980. However, because the Commonwealth requested and received an extension to December 31, 1987 for the attainment of the ozone standard in

the Philadelphia, Pittsburgh, and Allentown-Bethlehem-Easton areas and until June 30, 1983 in Philadelphia and until December 31, 1985 in Pittsburgh for the attainment of the carbon monoxide standard, the Commonwealth was required to submit another SIP revision by July 1, 1982.

The Commonwealth submitted the required revisions to its ozone and carbon monoxide SIP on June 30, 1982. Based on EPA's review of that material, on February 3, 1983 (48 FR 5096), EPA proposed approval of some portions of the plan and proposed disapproval, unless the noted deficiencies were corrected, of others.

On October 24, 1983, the Commonwealth submitted a SIP revision which corrects the deficiencies noted in the February 3, 1983, **Federal Register** proposal. This submittal was reviewed by EPA and a proposed rulemaking action was published by EPA on August 27, 1984 (49 FR 33902).

Unless otherwise noted, today's Notice finalizes actions proposed in either the February 3, 1983 or August 27, 1984 Notices, *supra*.

This Notice is divided into six main sections:

- A. General Requirements;
- B. General Issues;
- C. The Southeastern Pennsylvania Area (Philadelphia);
- D. The Southwestern Pennsylvania Area (Pittsburgh);
- E. The Allentown-Bethlehem-Easton Areas (A-B-E); and
- F. Public Comments.

These sections will briefly describe the elements of the Pennsylvania SIP revision. A more detailed discussion may be found in the Technical Support Document and the February 3, 1983 or the August 27, 1984, **Federal Register** Notices, *supra*. Copies of this material are available for inspection at any of the offices listed under "ADDRESSES" above.

A. General Requirements

The Clean Air Act Amendments of 1977 require that any State granted an extension of the December 31, 1982 attainment date for ozone and carbon monoxide NAAQS submit an implementation plan by July 1, 1982. This plan must satisfy the requirements of section 172(b) of the Act and must demonstrate attainment of the ozone and carbon monoxide standards no later than December 31, 1987.

B. General Issues

On February 3, 1983 (48 FR 5096), EPA proposed to disapprove or to take no action on the following portions of the O₃/CO SIP for all three nonattainment areas:

1. Public Hearings;
2. Inspection/Maintenance; and
3. Perchloroethylene Dry Cleaning Regulations.

On August 27, 1984 (49 FR 33902), EPA proposed approval of the Public Hearing portions of the SIP for all three areas. This proposal was based on the Commonwealth's submittal of October 24, 1983 which contained evidence of adequate public notice and hearings for all three areas. Today, EPA is taking final action to approve this portion of the O₃/CO SIP.

The motor vehicle inspection and maintenance (I/M) portion of the SIP for all three areas is still inadequate although the major deficiency has been corrected by the passage of I/M legislation. The Governor signed Senate Bill No. 1 into law on June 13, 1983 and the I/M program began operation in the three nonattainment areas on June 1, 1984. The only remaining deficiency is the actual submittal, by the Pennsylvania Department of Transportation and the Department of Environmental Resources, of documentation of the I/M elements required for the 1982 SIP revision. EPA is working closely with PennDOT and DER to expedite this submittal and we expect public hearings to be held and the regulations to be submitted within the next few months. Because the I/M program is in fact operating and only the formal submittal of the required SIP elements remains, EPA believes the most appropriate course at this time is to take no further action on this portion of the SIP.

Pennsylvania has submitted stationary source control measures which satisfy the requirement for adopting Reasonably Available Control Technology (RACT) on all categories of VOC sources (Groups I and II) except the Perchloroethylene Dry Cleaning sources. In proposed notices of May 27, 1982 (45 FR 23186), for Pennsylvania and August 24, 1982 (45 FR 36857) for Allegheny County, EPA discussed the deficiencies in the Dry Cleaning regulations, and explained why no action was taken on them at that time. The deficiencies remain and, on February 3, 1983, EPA again proposed to take no action. Furthermore, EPA published a Notice on October 24, 1983 at 48 FR 49097 proposing to add perchloroethylene to the list of organic compounds which are negligibly reactive and thus may be exempt from regulation under SIP's to attain the ozone NAAQS. In light of this pending action, EPA believes it to be inappropriate to take any further action on this portion of Pennsylvania's SIP.

C. Southeastern Pennsylvania Area

The Metropolitan Philadelphia Interstate AQCR includes the following counties: Bucks, Chester, Delaware, Montgomery and Philadelphia in Pennsylvania; Burlington, Camden, Gloucester, Mercer, and Salem in New Jersey, and New Castle in Delaware. This Notice applies only to the Pennsylvania portion of the AQCR.

In addition to the portions of the SIP discussed under General Issues, the following elements of the O₃/CO SIP have also been reviewed.

I. Ozone

1. Emission Inventory

The Commonwealth submitted an emissions inventory including point sources, area sources, and mobile sources on June 30, 1982. Several deficiencies in both the point and area source inventories were noted and transmitted to the Commonwealth on August 15, 1982. On October 29, 1982, DER responded to most of these comments and the revised inventory submitted on October 24, 1983 corrects the previously noted deficiency. Therefore, EPA is approving this portion of the SIP.

2. Demonstration of Attainment/Modeling

The June 30, 1982 submittal did not demonstrate attainment of the ozone standard by December 31, 1987 and, therefore, the February 3, 1983 Notice proposed disapproval of this portion of the SIP.

The October 24, 1983 submittal addresses the previously noted deficiencies in that the Commonwealth acknowledges that the original EKMA modeling shows that a 44% reduction in volatile organic compound (VOC) emissions is needed to attain the standard while the existing regulations would achieve only a 38.5% reduction in such emissions. The Commonwealth further discusses the need for an additional EKMA modeling analysis, using the supposedly more accurate Carbon Bond III mechanism to determine the reduction really necessary to attain the O₃ standard. Although EPA supports and is continuing to work with the Pennsylvania Department of Environmental Resources (DER) and the other agencies involved in the reanalysis of the ozone modeling, such pending reanalysis does not negate the existing analysis and the need for 44% reduction in VOC emissions.

Therefore, any proposed revision to the SIP must contain a commitment to meet the required 44% VOC emissions reduction. In his letter dated July 26,

1983, the Secretary of Pennsylvania DER reaffirmed the Commonwealth's commitment to this reduction and stated that the final SIP revision would explicitly include such a commitment. The proposed SIP revision not only specifically commits to achieve the full 44% reduction but it also lists several extraordinary emission reduction measures which will be used to eliminate the 5.5% shortfall and provides a schedule by which these measures will be evaluated and the appropriate ones adopted, by March 15, 1985.

EPA believes the Demonstration of Attainment portion of the Philadelphia plan is now acceptable and proposed approval of it in the August 27, 1984 Notice, *supra*.

No public comments were received as a result of the proposed approval and, therefore, EPA is today issuing final approval of this portion of the SIP.

3. Reasonable Further Progress

The February 3, 1983 Notice, *supra*, proposed disapproval of this portion of the SIP because the RFP curve and presentation in the June 30, 1982 submittal failed to demonstrate attainment of the ozone standard by December 31, 1987.

Although the reasonable further progress (RFP) curve included in the October 24, 1983 submittal demonstrates attainment of the ozone standard by December 31, 1987, the projected emission levels will exceed those that would be achieved on a linear reduction from 1982 through 1987. EPA's policy has been that reductions must be at least equivalent to a linear reduction for each year prior to attainment. In light of the delayed implementation of the I/M program and the adoption of the extraordinary control measures by March 15, 1985, it is not unreasonable to expect a slightly less than linear reduction in VOC emissions from 1982 through 1987.

The proposed RFP curve does not conform to existing EPA policy. EPA has determined that the maximum deviation from the RFP line would occur in 1985 and would be approximately 15,000 kg/day or about 4 percent of the 1985 projected emission level. In view of the demonstration of attainment based upon the control measures proposed in the SIP, EPA does not believe it represents a significant deficiency in the overall SIP assuming these further emission reduction commitments are met. Therefore, the August 27, 1984 Notice, *supra*, proposed approval of this portion of the SIP but stated a final decision would not be made until any relevant public comments were reviewed and evaluated.

No public comments were received in response to that Notice. Therefore, EPA is now approving this portion of the SIP.

4. Stationary Source Controls

The Clean Air Act mandates that States adopt regulations requiring Reasonable Available Control Technology (RACT). Therefore, as part of the 1982 submittal, States must have included RACT for: (a) All sources of VOC's covered by a Control Techniques Guideline (CTG); and, (b) all remaining major stationary sources with the potential to emit more than 100 tons of VOC per year.

EPA requires that the submittal either include legally enforceable measures to implement RACT for these sources or else document the State's determination that the existing level of control represents RACT for each of these sources.

a. CTG Regulations: The State has adopted adequate regulations for all VOC sources covered by EPA CTG's published to date (Groups I and II) except for the control of Perchloroethylene Dry Cleaning emissions. This regulation is discussed in the "General Issues" section of this notice. The State has also committed to adopt, implement and enforce RACT regulations for applicable VOC source categories after future guidelines are released.

The February 3, 1983 Federal Register notice (48 FR 5096) stated that this section of the SIP was acceptable. However, the October 24, 1983 submittal contains a revised schedule for the adoption of the pending Round III Control Technique Guidelines (CTG's) that would allow the Commonwealth up to twenty months to review and adopt appropriate CTG's.

On April 4, 1979, 44 FR 20372, 20376, EPA published a proposed rulemaking requiring that States adopt a CTG within twelve months after the January following publication of the CTG by EPA. This policy allowed states thirteen to twenty-four months, depending on the EPA publication date, to complete their regulatory adoption process and submit the regulation to EPA as a SIP revision. Pennsylvania, like most states, committed to meeting this schedule in their 1979 Part D nonattainment SIP's. Now, however, this schedule may not always be realistic in light of the fact that many states have adopted legislative overview requirements. During the 1981-1982 legislative season, the Pennsylvania General Assembly passed such a legislative overview requirement. It now can take up to two years for Pennsylvania Department of Environmental Resources to

administratively process a regulatory revision.

Because of this extremely time consuming process, Pennsylvania cannot commit to meeting EPA's CTG adoption schedule in its 1982 Part D SIP. Instead, they have proposed a straight twenty months from EPA publication to state adoption.

As mentioned earlier, the CTG adoption schedule is included in the approval status of Part 52 for most States and it would take a major rulemaking action to void these requirements nationally. However, EPA believes that it can apply some discretion in approving State schedules. Pennsylvania's commitment to adopt RACT requirements for Group III sources within 20 months is within the 13- to 24-month schedule (depending upon CTG publication date) required by the Part 52 regulations and is consistent with the intent of the agency in issuing these regulations. Therefore, EPA proposed approval of the revised CTG adoption schedule on August 27, 1984, *supra*. No adverse public comments were received and we are now taking final action to approve this portion of the SIP.

b. Regulations for 100 Ton Per Year Sources: The February 3, 1983 Notice, *supra*, proposed disapproval of this portion of the SIP because in the June 30, 1982 submittal, RACT had not been applied to three of the major sources of VOC emissions in Bucks, Chester, Delaware, and Montgomery Counties. For Philadelphia County two major sources were not controlled to RACT levels. In any area receiving an extension beyond 1982, control of all sources of VOC emissions over 100 tons per year is a required part of the 1982 SIP revision.

The October 24, 1983 submittal includes a schedule for adoption of regulations for greater than 100 TPY sources and makes a firm commitment to adopt, implement and submit the appropriate regulations to EPA as SIP revisions. EPA proposed to approve this schedule in the August 27, 1984 Notice, *supra*.

No adverse public comments were received in response to that Notice and, therefore, we are today approving this portion of the SIP.

5. Transportation Control Measures

The Delaware Valley Regional Planning Commission (DVRPC) was the lead agency in the development of the transportation portion of the Philadelphia SIP. The Technical Advisory Committee for Transportation, which included representatives of local

governments and transportation agencies in both Pennsylvania and New Jersey, performed a preliminary analysis of 75 measures, which encompassed all of the reasonably available transportation measures (RATM) identified in Section 108(f) of the Clean Air Act. Of the original 75 measures, 33 measures (15 in Pennsylvania, 18 in New Jersey) were analyzed in detail and recommended for approval by the DVRPC Board which subsequently approved the recommended measures for submission to the State. These measures and the total VOC emissions reduction resulting from these measures are discussed in detail in the February 3, 1983 Notice, *supra*.

Commitments to the recommended measures are made in Appendix D of the plan (June 30, 1982 submittal) by the City of Philadelphia, Southeastern Pennsylvania Transportation Authority and the Greater Philadelphia Bicycle Coalition. The process of commitments is continuing and additional State and local agencies may provide additional support for those projects where appropriate.

The analysis results and recommendations were reviewed by the public and all State and local agencies in the region. Evaluation and comments were included in the SIP revision.

Basic Transportation Needs have been adequately addressed in the SIP, as part of the basic planning process performed by DVRPC and the State. Full public participation was provided and encouraged throughout the development of the transportation control plan.

EPA proposed to approve this portion of the SIP on February 3, 1983. No adverse public comments were received and, therefore, today's Notice grants final approval of this portion of the SIP.

II. Carbon Monoxide

The February 3, 1983 Notice, *supra*, proposed approval of the CO SIP submitted on June 30, 1982, with the exception of the I/M portion.

The October 24, 1983 submittal contains a request from the Commonwealth to extend the CO attainment date from June 30, 1983 to December 31, 1987. The need for this extension results from the delayed implementation of the I/M program.

The August 27, 1984 Notice, *supra*, proposed approval of this extension. No comments have been received. Except for the I/M portion, EPA is now publishing final approval of the CO portion of the SIP and the extension of the attainment date.

III. Additional Requirements

DVRPC has submitted an analysis which demonstrates that projects being completed in the Southeastern Pennsylvania area conform with the SIP and that resultant emissions will be at or below the RFP curve.

Adequate provision was included for expansive consultation with the public and officials from appropriate government agencies both during the SIP preparation and on a continuing basis thereafter.

The State has provided evidence of its commitment of adequate financial and staff resources to assure timely implementation of the SIP. In addition, all other requirements of Section 172(b) of the Clean Air Act and EPA's January 1981 policy on SIP revisions for extension areas have been satisfied by the plan submitted by DVRPC and Pennsylvania.

A description of the process for identifying transportation contingency measures is also included in the SIP.

D. Southwestern Pennsylvania Area

In addition to those portions of the SIP discussed under General Issues, the following elements of the O₃/CO SIP have also been reviewed.

I. Ozone

The Ozone SIP for the Southwestern Pennsylvania area was developed by the Southwestern Pennsylvania Regional Planning Commission (SPRPC), with modeling and stationary source input from the Department of Environmental Resources (DER).

1. Emission Inventory

The mobile and area source inventory was developed by SPRPC, while the stationary source inventory was developed by DER and the Allegheny County Bureau of Air Pollution Control. The February 3, 1983 Notice, *supra*, stated that the inventory contained in the June 30, 1982 submittal was reviewed and found to be consistent with EPA guidance and requirements.

No public comments were received relative to this portion of the SIP and EPA is now approving it.

2. Demonstration of Attainment/Modeling

The demonstration of attainment and modeling analysis contained in the June 30, 1982 submittal were proposed for approval in the February 3, 1983 Notice, *supra*. A detailed discussion of this portion of the SIP is contained therein and will not be repeated here.

No comments were received regarding the proposed approval and, therefore,

EPA is now approving this portion of the SIP.

3. Reasonable Further Progress

A graphical demonstration that reasonable further progress (RFP) toward the attainment of the O₃ standard by December 31, 1987 will be accomplished is contained in the June 30, 1982 submittal. The February 3, 1983 Notice, *supra*, proposed approval of the RFP curve.

No comments were received regarding the proposed approval and, therefore, EPA is now approving this portion of the SIP.

4. Stationary Source Controls

Requirements for the 1982 SIP's include Reasonably Available Control Technology (RACT) for: (a) All sources of Volatile Organic Compounds (VOC) covered by a Control Techniques Guidelines (CTG), and, (b) all remaining major stationary sources with the potential to emit more than 100 tons of VOC per year. EPA requires that the submittal either include legally enforceable measures to implement RACT for these sources, or else document the State's determination that the existing level of control represents RACT for each of these sources.

a. CTG Regulations: Pennsylvania has adopted acceptable RACT VOC regulations for all categories of CTG sources except Perchloroethylene Dry Cleaning. This regulation is discussed in the "General Issues" section of this notice. The State has also committed to adopt and implement RACT regulations for applicable VOC source categories after future EPA guidelines are published.

The February 3, 1983 Notice, *supra*, stated that this section of the SIP was acceptable. However, the October 24, 1983 submittal contains a revised schedule for the adoption of any Round III CTG's issued by EPA. This revised schedule and EPA's proposed action are fully discussed in this Section of the Philadelphia SIP evaluation (see above).

b. Regulations for 100 Ton Per Year Sources: The February 3, 1983 Notice, *supra*, proposed to disapprove this portion of the SIP due to the lack of Reasonably Available Control Technology (RACT) regulations for sources emitting more than 100 tons per year of VOC's.

The August 27, 1984 Notice, *supra*, proposed to approve this portion of the SIP based on material submitted subsequent to the June 30, 1982 SIP.

On November 1, 1982 Allegheny County submitted a commitment and schedule to develop, adopt and

implement RACT regulations for the three major, non-CTG sources located in the County. Furthermore, DER has now certified that no major VOC sources exist outside Allegheny County in the Southwestern Pennsylvania area.

On November 15, 1983, Allegheny County Bureau of Air Pollution Control submitted the results of the study undertaken pursuant to the November 1, 1982 letter. Of the four sources investigated, two, USS Chemicals and PPG Industries, were found to have RACT or better already in place. The third source, Neville Chemical, emits substantially less than 100 TPY and the fourth, Wiseman Oil Corp., purchased by Breslube of Canada has been shut down. EPA reviewed Allegheny County's findings and confirmed our agreement with these results on February 29, 1984. The requirement that these RACT controls be maintained and operated is contained in the individual source permits.

No public comments, relative to this portion of the SIP, were received in response to either **Federal Register** Notice. EPA is today publishing final approval of this portion of the SIP, as amended.

5. Transportation Control Measures

The February 3, 1983 Notice, *supra*, proposed approval of this portion of the SIP. No comments were received and EPA is now taking final action to approve this portion of the SIP.

II. Carbon Monoxide

The February 3, 1983 Notice, *supra*, proposed approval of the CO SIP, except for the I/M portion. The proposed approval is based on the modeling analysis and reasonable further progress demonstration which show that a 21.7% reduction in CO emissions is required and that a 35.2% reduction will, in fact, be achieved by the December 31, 1985 attainment data.

No public comments were received in response to this Notice and EPA is today approving this portion, except for I/M, of the SIP.

III. Additional requirements

The February 3, 1983 Notice, *supra*, proposed to approve this portion of the SIP. No public comments were received and EPA is today approving this portion of the SIP.

E. Allentown-Bethlehem-Easton Area

In addition to those portions of the SIP discussed under General Issues, the following elements of the O₃/CO SIP have also been reviewed.

I. Ozone

1. Emission Inventory;
2. Demonstration of Attainment/Modeling;
3. Reasonable Further Progress;
4. Stationary Source Controls; and
5. Transportation Control Measures.

The February 3, 1983 Notice, *supra*, proposed approval of the June 30, 1982 SIP, except for I/M.

The August 27, 1984 Notice, *supra*, also proposed approval of this SIP, except for I/M, as revised by the October 24, 1983 submittal.

No public comments were received in response to either Notice and EPA is today approving this SIP, except for I/M.

II. Carbon Monoxide

The Allentown-Bethlehem-Easton area was originally designed as an attainment area for carbon monoxide. Therefore, no extension for attainment was requested and no 1982 SIP revision for CO is required.

III. Additional Requirements

The procedure used by DER and the Joint Planning Commission (JPC) of Lehigh and Northampton Counties in developing this SIP revision included measures that provided for sufficient consultation with State and local officials. The JPC has submitted an analysis showing that the projects being completed in the Allentown-Bethlehem-Easton area conform with the SIP. The conformity analysis has been adopted as a routine procedure to ensure conformity during project development and approval stages. A description of the process for identifying transportation contingency measures is also included in the SIP. In addition, EPA believes the plan developed by Pennsylvania and the JPC meets all other requirements of Section 172(b) of the Clean Air Act.

The February 3, 1983 Notice, *supra*, proposed approval of this portion of the SIP and no public comments were received in response. EPA is today publishing final approval of this portion of the SIP.

F. Public Comments

The 1982 O₃/CO SIP was originally submitted by the Commonwealth on June 30, 1982. This submittal was the subject of a **Federal Register** Notice published on February 3, 1983 at 48 FR 5096. It was also included in the material that was the basis for another Notice published by EPA on February 3, 1983 at 48 FR 5022.

This second Notice was "national" in scope and dealt primarily with proposed disapproval actions and the proposed

imposition of sanctions pursuant to Sections 110(a)(2)(I), 176(a), 176(b), and 316(b) of the Clean Air Act. Today's Notice deals with those actions proposed in the February 3, 1983 Notice at 48 FR 5096. We are not, at this time, addressing the issues raised in the other Notice (48 FR 5022).

Several public comments were received in response to the Notice. These comments are addressed in detail in the Technical Support Document, which is available at the addresses listed earlier in this Notice, and are briefly summarized below.

Two citizen groups and the State of New Jersey submitted letters supporting EPA's proposed disapproval.

A business association and a corporation in the Philadelphia area disagreed with the proposed disapprovals. Their comments were based on a modeling study performed by a private contractor that showed the Philadelphia area would in fact attain the O₃ standard by December 31, 1987. This study conflicted with the modeling analysis included in the June 30, 1982 SIP, was not submitted as part of the SIP, and, therefore, was not subject to the EPA review process.

The remaining comments, from the Allegheny County Health Department, Penn DOT, and DER, dealt primarily with the proposed disapproval of the I/M portion of the SIP and the proposed sanctions. These elements are not part of today's rulemaking and, therefore, any comments relative to this portion of the SIP are not germane to this action. These comments will be addressed in a separate rulemaking action when DER submits the I/M regulations.

The October 24, 1983 submittal, which was the subject of the August 27, 1984 **Federal Register** Notice (49 FR 33902), corrected all of the deficiencies, except I/M cited in the February 3, 1983 Notice, *supra*. Therefore, the comments received earlier are now moot. No public comments were received in response to the August 27, 1984 Notice, *supra*.

Administrative Procedures

Based on the reviews discussed above, EPA is now approving the following portions of Pennsylvania's 1982 Ozone and Carbon Monoxide SIP. This applies to all three areas, unless otherwise noted.

1. Public Hearings;
2. Emission Inventory;
3. Demonstration of Attainment/Modeling;
4. Reasonable Further Progress;
5. Stationary Source Control Measures, except for the

Perchloroethylene Dry Cleaning Regulation:

- 6. Transportation Control Measures;
- 7. Additional Requirements; and
- 8. Carbon Monoxide Plans, except for I/M.

EPA is taking no action at this time on the following portions of this SIP:

- 1. I/M.
- 2. Perchloroethylene Dry Cleaning Regulations.

Under Executive Order 12291, today's action is not "Major". It has been submitted to the Office of Management and Budget (OMB) for review. Any comments from OMB to EPA and any EPA response, are available for public inspection at the EPA, Region III address listed earlier in this Notice.

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 60 days from date of publication. This action may not be challenged later in proceedings to enforce its requirements (See section 307(b)(2)).

List of Subjects in 40 CFR Part 52

Air pollution control, Ozone, Carbon monoxide, Intergovernmental relations, Incorporation by reference.

Note.—Incorporation by reference of the State Implementation Plan for the Commonwealth of Pennsylvania was approved by the Director of the Federal Register on July 1, 1982.

Dated: February 12, 1985.

Lee M. Thomas,
Acting Administrator.

Authority: Secs. 110(a), 172(b), and 301(a) of the Clean Air Act, as amended (42 U.S.C. 7410(a), 7502(b), and 7601(a)).

PART 52—[AMENDED]

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

Subpart NN—Pennsylvania

1. Section 52.2020, Identification of Plan, is amended by adding the following paragraph (c)(63):

§ 52.2020 Identification of plan.

(c) * * *
(63) The 1982 Ozone and Carbon Monoxide plan, except for the Inspection and Maintenance portion and the Perchloroethylene Dry Cleaning regulation, for the Southeastern, Southwestern, and Allentown-Bethlehem-Easton areas submitted by the Commonwealth on June 30, 1982 and October 24, 1983.

2. Section 52.2022, Extensions, is amended by revising paragraph (e) as follows:

§ 52.2022 Extensions.

(e) The Administrator hereby extends the dates for attainment of the national ambient air quality standard for carbon monoxide to December 31, 1987 in Philadelphia County and to December 31, 1985 in Allegheny County.

3. Section 52.2034, Attainment dates for national standards, is amended by revising Footnote 1e. to read as follows:

§ 52.2034 Attainment dates for national standards.

Note 1.— * * *
e. December 31, 1987

[FR Doc. 85-4118 Filed 2-25-85; 8:45 am]
BILLING CODE 6560-50-M

40 CFR Part 52

[TN-002; A-4-FRL-2782-3]

Approval and Promulgation of Implementation Plans; Tennessee: Prevention of Significant Deterioration Regulations

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: On October 27, 1982 (47 FR 47607) EPA proposed approval of prevention of significant deterioration (PSD) regulations submitted by Tennessee with the understanding that certain changes would be made by the State. Most of the required changes have been submitted by Tennessee and are considered adequate. In addition, the State has submitted a letter committing to include a caveat concerning the applicability of EPA stack height regulations to all affected permits. Therefore, EPA is today approving the majority of the PSD regulations for Tennessee, is deferring action on that portion of Tennessee's PSD regulations dealing with exempting vessel emissions, and is not approving that portion of Tennessee's PSD regulations dealing with innovative technology waivers.

EFFECTIVE DATE: This action is effective March 28, 1985.

ADDRESSES: Copies of the materials submitted by the State may be examined during normal business hours at the following locations:
Public Information Reference Unit,
Library Systems Branch,

Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460

Air Management Branch, Environmental Protection Agency, Region IV, 345 Courtland Street, NE., Atlanta, Georgia 30365

Office of the Federal Register, 1100 L Street N.W., Room 84C1, Washington, D.C. 20005

Tennessee Air Pollution Control Division, 150 9th Avenue North, Nashville, Tennessee 37203.

FOR FURTHER INFORMATION CONTACT: Mr. Michael T. Cooper, Air Management Branch, EPA Region IV at the above address and telephone number 404/381-3286 or FTS 257-3286.

SUPPLEMENTARY INFORMATION: On December 5, 1974, EPA published regulations under the 1970 version of the Clean Air Act for the prevention of significant air quality deterioration (PSD). These regulations established a program for protecting areas with air quality cleaner than the national ambient air quality standards (NAAQS). The Clean Air Act Amendments of 1977 mandated certain immediately effective changes in EPA's PSD regulations, and established comprehensive new PSD requirements which are to be incorporated by states into their implementation plans. On June 19, 1978 (43 FR 26380), and August 7, 1980 (45 FR 52676), EPA promulgated guidance to assist states in preparing state implementation plan (SIP) revisions meeting the new requirements.

The State of Tennessee has complied with these requirements and has adopted and submitted on December 9, 1981, a new rule 1200-3-9-.01-(4) for the review of new sources. On May 25, 1982, the State submitted draft revisions to the original submittal. On April 22, 1983, the State submitted the final revisions to rule 1200-3-9-.01-(4). On September 1, 1983, the State submitted revisions to subparagraph 1200-3-9-.01-(4)-(b). Provisions of Tennessee's PSD regulations include a listing of sources considered to be major sources, what constitutes maximum allowable increases (increments) for Class I, II, and III areas, public participation requirements, procedures for areas violating increments, requirements for sources impacting Class I areas, and procedures for innovative control technology waivers. In addition, Tennessee's regulations specify what sources must apply best available control technology.

EPA proposed to approve Tennessee's PSD regulations and draft revisions in the October 27, 1982 Federal Register (47