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during normal business hours at the following locations:

U.S. Environmental Protection Agency, Region III, Air Programs & Energy Branch, Curtis Building, Sixth & Walnut Streets, Philadelphia, PA. 19106

Pennsylvania Department of Environmental Resources, Bureau of Air Quality Control, 200 North 3rd Street, Harrisburg, PA. 17120

Office of the Federal Register, 1100 L Street, SW., Room 8401, Washington, D.C. 20408

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

**FOR FURTHER INFORMATION CONTACT:** Mr. Raymond D. Chalmers at the EPA address given above or call 215/597-8309.

**SUPPLEMENTARY INFORMATION:** EPA approves revisions to the Pennsylvania State Implementation Plan (SIP) consisting of the deletion from the SIP of a more stringent sulfur-in-oil requirement for the Upper Beaver Valley which was to have become effective August 1, 1982 and the addition to the SIP of provisions for public notification of violations of air quality standards. EPA approves these revisions since they meet the requirements of Section 110(a)(2) of the Clean Air Act and of 40 CFR Part 51.

Pennsylvania's principal revision concerns the sulfur in oil requirement for the Upper Beaver Valley. The SIP as revised sets a permanent limit on sulfur in residual oil used by sources in the Upper Beaver Valley of 2%. The State's former SIP set this limitation at 2% until August 1, 1982, after which date the limitation was to be reduced to 1.5%. The State justified keeping the limit at 2% by certifying that there are no major sources in the Upper Beaver Valley which burn Nos. 4, 5, 6, or heavier fuel oil and that there should therefore be no measureable impact on air quality in this area as a result of the use of 2.0% instead of 1.5% sulfur oil. The State's position is further supported by an EPA study entitled "Calculations from Compliance Emissions of Long and Short-Term SO<sub>2</sub> Concentrations in the New Castle and Beaver Valley Areas." This study shows that air quality in these areas is dominated by coal fired combustion units and process SO<sub>2</sub> emissions. The study shows that air quality in the Upper Beaver Valley is not significantly affected by emissions from burning of residual oil.

Pennsylvania also submitted a commitment to report air quality levels

in excess of standards to the public. Pennsylvania's primary means of accomplishing this will be the publication of an annual report describing standards violations and briefly explaining their possible health effects. Pennsylvania also agreed to report an air quality index to citizens of the Allentown-Bethlehem-Easton, Harrisburg, Scranton, and Wilkes-Barre areas on a daily basis. Pennsylvania's report will not cover Allegheny County and Philadelphia, since Pennsylvania has delegated to these areas the responsibility for making the reports. The State submitted these commitments to meet the public notification requirements of 40 CFR 51.285.

EPA proposed these revisions at 47 FR 54312 on December 2, 1982. No comments were received regarding this proposal. EPA's proposal was published concurrently with that of the State. Pennsylvania's final submittals of the sulfur in residual oil requirement for the Upper Beaver Valley and of the public notification plan did not differ from those originally proposed, and the State held satisfactory public hearings regarding them.

EPA also proposed approval of one additional SIP revision in its December 2, 1982 Federal Register notice. EPA proposed to approve the elimination from the SIP of ambiguous odor regulation requirements. Pennsylvania has not yet held appropriate public hearings on this matter. EPA will not act on Pennsylvania's odor regulation changes until the State holds such hearings.

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

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 within 60 days of today. This action may not be challenged later in proceedings to enforce its requirements (See 307(b)(2)).

#### List of Subjects in 40 CFR Part 52

Air pollution control, Ozone, Sulfur oxides, Nitrogen dioxide, Lead, Particulate matter, Carbon monoxide, Hydrocarbons, Intergovernmental relations.

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

Dated: June 28, 1983.

William D. Ruckelshaus,  
Administrator.

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

## PART 52—[AMENDED]

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

### Subpart NN—Pennsylvania

In § 52.2020 *Identification of Plan* (c)(53) is added to read as follows:

#### § 52.2020 Identification of Plan.

\* \* \* \* \*

(c) The plan revisions listed below were submitted on the date specified.  
\* \* \*

(53) Pennsylvania submittal dated September 23, 1982 deleting more stringent sulfur in residual oil requirements for the Upper Beaver Valley Air Basin which would have become effective August 1, 1982 and adding provisions for public notification of air quality levels.

{FR Doc. 83-18023 Filed 7-1-83; 8:45 am}

BILLING CODE 6560-50-M

## 40 CFR Part 52

[EPA Action NE 1123; A-7-FRL 2353-7]

### Revision to State Implementation Plan; Nebraska

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rulemaking.

**SUMMARY:** On August 9, 1982, EPA received a State Implementation Plan revision from Nebraska to satisfy certain requirements of the Clean Air Act, as amended. EPA approved part of this submission on March 28, 1983 at 48 FR 12715. No action was taken at that time on the elements of the plan submitted to satisfy the requirements of Sections 121 and 174 (Intergovernmental Consultation and Coordination) or Section 127 (Public Notification). Today, EPA is taking action to approve these elements of the Nebraska plan.

**EFFECTIVE DATE:** This action is effective September 6, 1983 unless notice is received within 30 days that someone wishes to submit adverse or critical comments.

**ADDRESSES:** Comments should be addressed to Mary C. Carter, Environmental Protection Agency, Air Branch, 324 East 11th Street, Kansas City, Missouri 64106. Copies of the State submission are available for inspection during normal business hours at the above address and at the following locations: Environmental Protection Agency, Public Information Reference Unit, 401 M Street, S.W., Washington, D.C. 20460; the Office of the Federal

Register, 1100 L Street, N.W., Room 8401, Washington, D.C. 20460; and Nebraska Department of Environmental Control, Air Pollution Control Division, Box 94877, Statehouse Station, 301 Centennial Mall South, Lincoln, NE 68509.

**FOR FURTHER INFORMATION:** Mary C. Carter, at (816) 374-3791, FTS 758-3791.

**SUPPLEMENTARY INFORMATION:** On August 9, 1982, EPA received a State Implementation Plan (SIP) revision from Governor Charles Thone of Nebraska. The SIP was submitted to satisfy the requirements of Part D and other general requirements of the Clean Air Act, as amended. EPA approved the Part D Plan for total suspended particulates (TSP) in Douglas, Cass, and Sarpy Counties on March 28, 1983 at 48 FR 12715. No action was taken at that time on the elements of the SIP revision submitted to fulfill the general requirements of Intergovernmental Consultation and Coordination (Sections 121 and 174) and Public Notification (Section 127). These elements of the August 9 submission are the subject of today's notice.

#### Sections 121 and 174—Consultation and Coordination

The Clean Air Act, as amended, requires increased coordination and consultation among state and local officials in the achievement of national ambient air quality standards and the prevention of significant deterioration of air quality. Section 121 of the Act requires states to establish procedures for consulting with officials of local government and Federal land managers to meet certain requirements in the development of the State Implementation Plan (SIP). Each SIP must include a satisfactory process of consultation for carrying out provisions of the Act for air quality maintenance, preconstruction review of major stationary sources of air pollution, prevention of significant deterioration, requirements for nonattainment areas, transportation controls, and certain delayed compliance orders. This process must be ongoing and in accordance with regulations promulgated by the EPA on June 18, 1979, at 44 FR 35176, codified at 40 CFR 51.240, *et seq.* The consultation requirement applies to both attainment and nonattainment areas and to all pollutants for which national ambient air quality standards have been established.

In nonattainment areas for carbon monoxide or ozone, states are subject to additional consultation requirements under Section 174 of the amended Act. This Section requires states to

determine, in consultation with local governments, the division of responsibility for development, implementation, and enforcement of the SIP for carbon monoxide or ozone nonattainment areas. Detailed guidelines for implementing Section 174 were issued jointly by the EPA and the Department of Transportation (DOT) on December 14, 1977, and were distributed to state and local governments. These guidelines require the states to identify in the SIP all designated organizations responsible for carbon monoxide or ozone nonattainment areas, and their responsibilities.

The cities of Lincoln and Omaha have been classified nonattainment for carbon monoxide. To satisfy Section 174 of the Act, the Governor designated the City of Lincoln, which is the Metropolitan Planning Organization (MPO) for Lincoln/Lancaster County, as the lead agency for coordination of SIP revisions in Lincoln. The Governor also designated the Metropolitan Area Planning Agency (MAPA), which is the MPO for Douglas and Sarpy Counties in Nebraska and Pottawattamie County in Iowa, as the lead agency in the Omaha area. Copies of the Memorandums of Understanding between the Nebraska DEC and the MPOs identifying the responsibilities of each agency have been included in the submission of August 9, 1982.

To satisfy the requirements of Section 121 of the Act, the Nebraska Department of Environmental Control (DEC) delegated the responsibilities for developing, implementing, and enforcing the SIP to the local agencies in the following manner: the Lincoln/Lancaster County Health Department with jurisdiction in Lancaster County, including the City of Lincoln; the Omaha Division of Permits and Inspections having jurisdiction within the city limits of Omaha; and the Omaha/Douglas County Health Department, delegated responsibility of ambient air quality monitoring in the Omaha area. Copies of the agreements between the Nebraska DEC and these agencies identifying the responsibilities of these agencies have been included in the submission of August 9, 1982.

#### Action

EPA approves this portion of the August 9, 1982, submission from Nebraska as fulfilling the requirements of Section 121 and Section 174 of the Act.

#### Section 127—Public Notification

The Clean Air Act Amendments of 1977 established a new section, Section 127, on Public Notification. Section 127

requires the SIP to contain measures for effective notification of the public on a regular basis of instances or areas in which any national primary ambient air quality standard is exceeded, to advise the public of hazards associated with such pollution, to enhance public awareness of measures which can be taken to prevent such standards from being exceeded, and to advise the public of ways in which they can participate in regulatory or other efforts to improve air quality.

The submission of August 9, 1982 provides for an annual report containing all air quality data collected in the state the preceding calendar year to be published and made available upon request by May 31 each year. The report will contain monitored data, the National Ambient Air Quality Standards, a brief summary of health effects associated with exceedences of the standards, and summary data on Pollution Standard Index (PSI) exceedences in Omaha. Included in the submission is a mailing list of those persons or organizations who will receive the report. An analysis of the annual report and the announcement that the report is available will be furnished to the local Omaha newspaper. Additionally, copies of the annual report will be available to the public at several state and local agency offices.

The Pollutant standard Index is being used in Omaha to report concentrations of criteria pollutants to the public on a daily basis at least five days per week. The daily report is furnished to radio and television stations and local newspapers, and is posted in the Omaha-Douglas Civic Center. Health hazards associated with exceedences and the pollutants responsible are included in the daily report.

To encourage the public to participate in efforts to improve air quality, the SIP states that the public will be advised of and invited to participate in the following activities: the annual State/EPA agreement, hearings before the Environmental Control Council on proposed new or amended regulations; the issuance of construction permits for new or modified sources; and the issuance of delayed compliance orders under Section 113(d) of the Clean Air Act Amendments of 1977. A notice will be published in newspapers in the area affected by these activities 30 days in advance and any person may participate and provide comments.

#### Action

EPA approves this portion of the August 9, 1982 submission from

Nebraska as fulfilling the requirements of Section 127 of the Act.

EPA believes these actions are noncontroversial and is taking final action to approve these portions of the August 9, 1982 submission without prior proposal. The public should be advised that this action will be effective September 6, 1983. However, if notice is received within 30 days that someone wishes to submit adverse or critical comments, this action will be withdrawn and two subsequent notices will be published before the effective date. One notice will withdraw final action and another will begin a new rulemaking by announcing a proposal of the action and establishing a comment period.

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

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

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 today. This action may not be challenged later in proceedings to enforce its requirements. (See 307(b)(2).)

This notice is issued under the authority of Section 110 of the Clean Air Act, as amended.

**List of Subjects in 40 CFR Part 52**

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

Dated: June 28, 1983.

William D. Ruckelshaus,  
Administrator.

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

**PART 52—[AMENDED]**

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

**Subpart CC—Nebraska**

1. Section 52.1420 is amended by adding a new paragraph (c)(27) to read as follows:

**§ 52.1420 Identification of plan.**

\* \* \* \* \*

(c) The plan revisions listed below were submitted on the dates specified.

\* \* \* \* \*

(27) A plan revision to provide for Intergovernmental Consultation and Coordination and for Public Notification was submitted to EPA by the Governor of Nebraska on August 9, 1982.

[FR Doc. 83-18018 Filed 7-1-83; 8:45 am]

BILLING CODE: 6560-50-M

**40 CFR Part 60**

[A-4-FRL 2368-4]

**Standards of Performance for New Stationary Sources; Supplemental Delegation of Authority to South Carolina**

AGENCY: Environmental Protection Agency.

ACTION: Rule-related notice.

SUMMARY: On March 24, 1983, the State of South Carolina requested a delegation of authority for the implementation and enforcement of several additional categories of New Source Performance Standards. EPA's review of South Carolina's laws, rules, and regulations showed them to be adequate for the implementation and enforcement of these Federal standards, and the Agency made the delegation as requested.

EFFECTIVE DATE: This delegation of authority to South Carolina is effective April 29, 1983.

ADDRESSES: Copies of the request for delegation of authority and EPA's letter of delegation are available for public inspection at EPA's Region IV Office, 345 Courtland Street, NE., Atlanta, Georgia 30365.

All reports required pursuant to the newly delegated standards should not be submitted to the EPA Region IV office, but should instead be submitted to the following address: Mr. Otto Pearson, Bureau of Air Quality Control, SC Dept of Health and Environmental Control, 2600 Bull Street, Columbia, South Carolina 29201.

SUPPLEMENTARY INFORMATION: Sections 101, 110, and 111 of the Clean Air Act authorize the Administrator to delegate his authority to implement and enforce the National Standards of Performance for New Stationary Sources (NSPS) to any State which has submitted adequate implementation and enforcement procedures.

On October 26, 1976, EPA delegated to the State of South Carolina the authority to implement the Standards of Performance for New Stationary Sources (NSPS). Subsequent delegations were made on March 17, 1981, and March 22, 1982. On March 24, 1983, South Carolina requested that EPA delegate authority for the NSPS

categories that had been promulgated or revised since the March 22, 1982, delegation. The categories requested are as follows:

1. *Lead-Acid Battery Manufacturing Plants, 40 CFR Part 60, Subpart KK*, as promulgated on April 16, 1982;
2. *Phosphate Rock Plants, 40 CFR Part 60, Subpart NN*, as promulgated on April 16, 1982;
3. *Asphalt Processing and Asphalt Roofing Manufacture, 40 CFR Part 60, Subpart UU*, as promulgated on August 6, 1982;
4. *Graphic Arts Industry: Publication Rotogravure Printing, 40 CFR Part 60, Subpart QQ*, as promulgated on November 8, 1982;
5. *Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants, 40 CFR Part 60, Subpart T*, as revised on February 17, 1983.
6. *Phosphate Fertilizer Industry: Superphosphoric Acid Plants, 40 CFR Part 60, Subpart U*, as revised on February 17, 1983.
7. *Phosphate Fertilizer Industry: Diammonium Phosphate Plants, 40 CFR Part 60, Subpart V*, as revised on February 17, 1983.
8. *Phosphate Fertilizer Industry: Triple Superphosphate Plants, 40 CFR Part 60, Subpart W*, as revised on February 17, 1983.

Action. Since review of the pertinent South Carolina laws, rules, and regulations showed them to be adequate for the implementation and enforcement of the aforementioned categories of NSPS, I delegated to the State of South Carolina my authority for the source categories listed above on April 28, 1983.

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

(Secs. 101, 110, and 111 of the Clean Air Act, as amended (42 U.S.C. 7401, 7410, 7411, and 7601))

Dated: May 9, 1983.

John A. Little,  
Acting Regional Administrator.

[FR Doc. 83-17814 Filed 7-1-83; 8:45 am]

BILLING CODE 6560-50-M

**40 CFR Part 256**

[SW-3-FRL 2392-5]

**Partial Approval of Delaware Solid Waste Management Plan**

AGENCY: Environmental Protection Agency, Region III.

ACTION: Final rule; partial approval.

SUMMARY: As provided by the Solid Waste Disposal Act, as amended by the