

exempt fossil fuel steam generators from the 0.1 #/MM BTU standard. Analysis of actual load data enabled the Department and the power industry to concur on a definition. A load change is defined as occurring when a fossil fuel steam generator, operating in the 10 to 100 percent capacity range makes a load change equal to or greater than 10 percent of capacity at a rate of 0.5 percent per minute or more.

**Action.** EPA is today approving the revisions submitted on August 12, 1976, October 19, 1979, and September 24, 1980, with regard to upset, startup, malfunction, reporting, visible emissions, and total suspended particulate cap for soot blowing and load changing. The public should be advised that this action will be effective 60 days from the date of this Federal Register notice. 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if notice is received within 30 days that someone wishes to submit adverse or critical comments, this action will be withdrawn, and two subsequent notices will be published before the effective date.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 the final action and another will begin a new rulemaking by announcing a proposal of the action and establishing a comment period.

Under Section 307(b)(1) of the Clean Air Act, judicial review of EPA's approval of this revision is available only by the filing of a petition for review in the United States Court of Appeals for the appropriate circuit on or before March 23, 1982. Under Section 307(b)(2) of the Clean Air Act, the requirements which are the subject of today's notice may not be challenged later in civil or criminal proceedings brought by EPA to enforce these requirements.

Pursuant to the provisions of 5 U.S.C. section 605(b) the Administrator has certified (46 FR 8709) that the proposed rule will not if promulgated have a significant economic impact on a substantial number of small entities. This action only approves state actions. It imposes no new requirements.

Under Executive Order 12291, EPA must judge whether a regulation is major and therefore subject to the requirement of a Regulatory Impact Analysis. This regulation is not major because it imposes no new burden on sources.

Incorporation by reference of the State Implementation Plan for the State of Florida was approved by the Director of the Federal Register on July 1, 1981.

(Section 110 of the Clean Air Act (42 U.S.C. 7410))

Dated: January 18, 1982.

Anne M. Gorsuch,  
Administrator.

#### PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

In § 52.520, paragraph (c) is amended by adding subparagraph (40) as follows:

##### § 52.520 Identification of plan.

\* \* \* \* \*

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

\* \* \* \* \*

(40) Amendments to upset, startup and malfunction rule, submitted on August 12, 1976; revisions to section 17-2.05(14) FAC (excess emissions) and 17-2.05(6) Table II, E., FAC, fossil fuel steam generators-visible emissions, submitted on October 19, 1979; revision describing compliance testing for amendments in section 17-2.05 (14) and (6), submitted on September 24, 1980, by the Department of Environmental Regulation.

(FR Doc. 82-1881 Filed 1-21-82; 8:45 am)

BILLING CODE 6560-38-M

#### 40 CFR Part 52

[A-7-FRL 2024-8]

#### Ambient Air Quality Monitoring: State of Kansas

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

**ACTION:** Notice of Final Rulemaking.

**SUMMARY:** On October 16, 1981, the Kansas Department of Health and Environment submitted a revision to the State Implementation Plan (SIP) for Kansas to comply with the requirements of Title 40 of the Code of Federal Regulations (CFR) Part 58. The submission makes modifications to the existing Kansas air quality surveillance network as required by 40 CFR 58.20. The purpose of today's notice is to take final action to approve the submission as a revision to the Kansas SIP.

**EFFECTIVE DATE:** This action is effective March 23, 1982 unless notice is received within 30 days that someone wishes to submit adverse or critical comment.

**ADDRESSES:** Comments should be addressed to Mary C. Carter, Air and Radiation 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; and Kansas Department of Health and Environment, Bureau of Air Quality and Occupational Health, Forbes Field, Topeka, Kansas 66101.

#### FOR FURTHER INFORMATION CONTACT:

Mary C. Carter at (816) 374-3791; FTS 758-3791.

**SUPPLEMENTARY INFORMATION:** Section 110(a)(2)(C) of the Clean Air Act (Act) requires SIPs to contain provisions for ambient air quality monitoring and data reporting. The Act also requires, in section 319, that EPA establish monitoring criteria to be followed uniformly across the nation and establish a national monitoring network. EPA promulgated regulations to implement section 319 in the May 10, 1979, Federal Register (44 FR 27558). The May 10 rulemaking established Part 58 of Title 40 of the Code of Federal Regulations, entitled "Ambient Air Quality Surveillance." For a discussion of the requirements for state implementation plan content the reader is referred to the May 10 rulemaking, page 27572.

On October 16, 1981, the Kansas Department of Health and Environment submitted a SIP revision for an air quality monitoring surveillance network to comply with 40 CFR 58.20. The submission makes modifications to the existing Kansas air quality surveillance network which was approved by the EPA Administrator on May 31, 1972.

EPA has determined that the SIP submission meets the requirements of 40 CFR 58.20 as described below. As required by 40 CFR 58.20(a), each station in the air quality monitoring surveillance network provided for in the SIP has been designated by the state as a State and Local Air Monitoring Station (SLAMS) and measures ambient air quality levels of criteria pollutants for which National Ambient Air Quality Standards have been established. To satisfy 40 CFR 58.20(b), the state has committed to meet the requirements of Appendices A, C, D, and E to Part 58 relating to quality assurance procedures, methodology, network design, and siting parameters. Further, the SIP provides that all stations in the state SLAMS network will be operated in accordance with the criteria established by Subpart B of 40 CFR Part 58. The state has committed to operate at least one monitoring station per pollutant for carbon monoxide, sulfur dioxide, nitrogen dioxide, particulate matter, and ozone during any stage of an air

pollution episode. This satisfies the requirements of 40 CFR 58.20(c). The SIP provides for an annual review by the state of the air quality surveillance network by October 1 of each year to determine if there are any stations in the SLAMS network that should be terminated or relocated or whether any new stations should be established, as required by 40 CFR 58.20(d). A report of the findings will be submitted to the EPA Region VII office by January 1 of each year along with a schedule for making any necessary modifications to the network. As required by 40 CFR 58.20(e), a full description of the monitoring network has been developed and will be maintained on file for public inspection during normal business hours, at the Kansas Department of Health and Environment and at the EPA Region VII offices.

#### Action

EPA approves the SIP revision for the Kansas Air Quality Surveillance Network and incorporates it into the existing plan. EPA believes this action is noncontroversial and is taking final action to approve this submission without prior proposal. The public should be advised that this action will be effective March 23, 1982. 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.

Pursuant to the provision of 5 U.S.C. 605(b), I hereby certify that the attached rule will not have a significant economic impact on a substantial number of small entities. The reason for this determination is that it imposes no additional burden on sources.

Under Executive Order 12291, EPA must judge whether a rule is "major" and therefore subject to the requirement of a Regulatory Impact Analysis. This rule is not "major" because it only approves state actions and imposes no additional substantive requirements which are not currently applicable under state law. Hence it is unlikely to have an annual effect on the economy of \$100 million or more, or to have other significant adverse impacts on the national economy.

Under section 307(b)(1) of the Clean Air Act, as amended, judicial review of this action is available only by the filing of a petition for review in the United States Court of Appeals for the appropriate circuit within 60 days of

today. Under section 307(b)(2), the requirements which are the subject of today's notice may not be challenged later in civil or criminal proceedings brought by EPA to enforce these requirements.

This notice of final rulemaking is issued under the authority of sections 110 and 319 of the Clean Air Act as amended.

Dated: January 18, 1982.

Note.—Incorporation by reference of the State Implementation Plan for the State of Kansas was approved by the Director of the Federal Register on July 1, 1981.

Anne M. Gorsuch,  
Administrator.

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

#### PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS.

1. Section 52.870 is amended by adding a new paragraph (c)(12) to read as follows:

##### § 52.870 Identification of plan.

\* \* \* \* \*

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

\* \* \* \* \*

(12) A plan revision which makes modifications to the existing Kansas air quality surveillance network was submitted by the Kansas Department of Health and Environment on October 16, 1981.

[FR Doc. 82-1611 Filed 1-21-82; 8:45 am]

BILLING CODE 6560-38-M

#### 40 CFR Part 52

[A-7-FRL-2016-6]

#### Approval and Promulgation of State Implementation Plans: Nebraska

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

**ACTION:** Final rulemaking.

**SUMMARY:** EPA is taking final action in this notice to approve State Implementation Plan (SIP) revisions in Nebraska to raise the visible emission limitation from 20 percent to 40 percent opacity for existing teepee waste wood burners, and from 20 percent to 30 percent opacity for existing alfalfa dehydration plants. EPA's proposed approval of these SIP revisions appeared in the April 10, 1978, *Federal Register* (43 FR 14972). No comments were received. This action will be effective on March 23, 1982 unless notice is received within 30 days that someone

wishes to submit adverse or critical comments.

**EFFECTIVE DATE:** This action is effective March 23, 1982.

**ADDRESSES:** Comments should be directed to Eloise Reed, Air, Noise and Radiation Branch, Environmental Protection Agency, Region VII, 324 East 11th Street, Kansas City, Missouri 64106.

The submitted SIP revision is available for review during normal business hours at the following locations:

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

Air, Noise and Radiation Branch,  
Environmental Protection Agency,  
Region VII, 324 East 11th Street,  
Kansas City, Missouri 64106

Nebraska Department of Environmental  
Control, 301 Centennial Mall, Lincoln,  
Nebraska 68509

Office of the Federal Register, 1100 "L"  
Street, N.W., Room 8401, Washington,  
D.C. 20460.

#### FOR FURTHER INFORMATION CONTACT:

Eloise Reed, Air Planning and  
Development Section, Air, Noise and  
Radiation Branch, Air and Hazardous  
Materials Division, Environmental  
Protection Agency, 324 East 11th Street,  
Kansas City, Missouri 64106. Phone (816)  
374-3791, FTS: 758-3791.

**SUPPLEMENTARY INFORMATION:** Rule 13, "Visible Emissions: Prohibited," of the Nebraska Rules and Regulations was amended by the Nebraska Environmental Control Council (NDEC) on November 18, 1977, to exempt existing teepee waste wood burners and existing alfalfa dehydration plants from the visible emission limitation of 20 percent opacity established for existing sources. The regulation became effective statewide on December 7, 1977.

The amendment to Rule 13 concerning existing teepee waste wood burners was requested by the Table Rock Lumber Company of Table Rock, Nebraska, which determined that it was economically infeasible to modify its facility in order to meet the 20 percent opacity limitation. A special ad hoc committee of the NDEC studied this request and proposed that existing teepee waste wood burners be allowed a visible emission limitation of 40 percent opacity.

There are only two existing teepee waste wood burners in Nebraska, therefore, EPA believes the provision will have no significant impact on ambient air quality. The two teepee waste wood burners emit less than 100 tons per year each of total suspended