

Action

EPA is today approving the Alabama submittal as satisfying the requirements of an acceptable plan for implementing PSD.

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 January 11, 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.

Note.—Pursuant to the provisions 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. 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 merely ratifies State actions and imposes no new burden on sources.

This regulation was submitted to the Office of Management and Budget (OMB) for review as required by Executive Order 12291.

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

(Secs. 110 and 161, Clean Air Act (42 U.S.C. 7410 and 7471))

Dated: November 3, 1981.

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:

Subpart B—Alabama

1. Section 52.50, is amended by adding paragraph (c)(32) to read as follows:

§ 52.50 Identification of plan.

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

(32) Regulations providing for prevention of significant deterioration (additions to Chapter 16 of the Alabama regulations), submitted on January 29, 1981, by the Alabama Air Pollution Control Commission.

§ 52.60 [Amended]

2. In § 52.60, *Significant deterioration of air quality*, paragraphs (a) and (b) are removed and reserved.

[FR Doc. 81-32488 Filed 11-9-81; 8:45 am]

BILLING CODE 6560-38-M

40 CFR Part 52

[A-7-FRL-1958-3]

Approval and Promulgation of Implementation Plans; State of Missouri

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of final rulemaking.

SUMMARY: In order to satisfy the requirements of Part D of the Clean Air Act, as amended, the State of Missouri submitted revisions to its State Implementation Plan (SIP) on February 12, 1981. These revisions addressed two conditions previously promulgated by EPA. One of these conditions required the East-West Gateway Coordinating Council (EWGCC) to complete an analysis of alternative transportation measures and to secure commitments from responsible agencies to specific transportation strategies which will achieve emission reductions for motor vehicle-related pollutants in the St. Louis nonattainment area. The other condition required EWGCC to provide the results of the requisite carbon monoxide (CO) dispersion model.

On July 10, 1981, EPA published a notice proposing to approve the state's submission. One commentor responded to the notice. EPA is taking final action today to approve these revisions to the Missouri SIP.

EFFECTIVE DATE: This promulgation is effective December 10, 1981.

ADDRESSES: Copies of the state submission, the EPA-prepared technical evaluation and the comments received, are available for inspection during normal business hours at the following locations: Environmental Protection Agency, Air, Noise and Radiation Branch, 324 East 11th Street, Kansas City, Missouri 64106; Environmental Protection Agency, Public Information Reference Unit, 401 M Street, S.W., Washington, D.C. 20460; Missouri Department of Natural Resources, 2010 Missouri Boulevard, Jefferson City, Missouri 65101; East-West Gateway Coordinating Council, 112 North Fourth Street, St. Louis, Missouri 63102. A copy of the state submission is also available at the Office of the Federal Register, 1100 L Street, N.W., Room 8401, Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: Wayne G. Leidwanger at (816) 374-3791 (FTS 758-3791).

SUPPLEMENTARY INFORMATION: On April 9, 1980, EPA conditionally approved certain elements of Missouri's SIP with regard to the requirements of Part D of the Clean Air Act, as amended. The reader is referred to the Federal Register notice published on that date (45 FR 24140) for a detailed discussion of that action. In the April 9 rulemaking, EPA approved an extension until 1987 for attainment of the carbon monoxide (CO) and ozone standards in the St. Louis area. As a result, the State will be required to submit a SIP revision in 1982 which demonstrates attainment of these standards by 1987. This 1982 SIP revision is in addition to the submission required to meet the April 9 conditions on approval of the SIP.

Section 172(b)(11)(C) requires the SIP to identify specific measures necessary for attainment of the CO and ozone air quality standards, as necessary, by 1987. This includes transportation control measures as specified in section 110(a)(3)(D). One of the conditions promulgated by EPA in the April 9, 1980, action required EWGCC to complete an analysis of alternative transportation measures and to secure commitments from responsible agencies to specific transportation strategies which will achieve the emission reductions of 0.45% specified in the SIP for the St. Louis nonattainment area. The other condition required EWGCC to provide the results of the requisite CO dispersion modeling committed to in the approved section 175 (transportation control planning grant) work plan. These conditions were due January 31, 1981.

On February 12, 1981, a package of transportation measures and commitments, as well as a draft report containing the results of the CO dispersion modeling, were submitted to EPA. (The final CO dispersion modeling report was submitted on April 28, 1981, and is substantially similar to the draft.) For a further discussion of the submission, the reader should consult EPA's proposed rulemaking of July 10, 1981 (46 FR 35686). One comment was received in response to the proposed rulemaking and a detailed response is included in the technical support document.

Among the transportation projects which EWGCC submitted were traffic flow improvements including traffic signal modifications, intersection and interchange improvements, construction of new highway facilities, widening of existing roads and highways, resurfacing of existing roads, and

railroad grade separations. The submission provides an estimate of the average vehicle speed increases that will result from these traffic flow improvement projects. Based upon these projected speed increases, the submission provides an evaluation of the overall resultant emission reductions. In the proposed rulemaking of July 10, EPA noted that EWGCC had not made a project-specific determination of emission benefits. Subsequently, EWGCC has agreed to submit the appropriate analyses as part of the 1982 SIP revision. A more detailed discussion of this agreement has been incorporated into the technical support document.

Action

EPA approves the overall demonstration of 6.5% reduction in emissions outlined in the February 12, 1981 SIP submission as meeting the two conditions, explained earlier in the present notice, on the 1979 SIP.

If the air quality benefits of these measures cannot be demonstrated adequately, other measures which demonstrate quantifiable air quality benefits must be provided for the 1982 SIP.

There are other conditions promulgated by EPA which must be addressed by the state before the Missouri SIP can be fully approved. Until all conditions are met, conditional approval of the SIP will continue.

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.

This rule was submitted to the Office of Management and Budget (OMB) for review as required by Executive Order 12291.

Note.—Pursuant to the provisions 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 only approves a state action. It imposes no new requirements.

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.

(Secs. 110 and 172, Clean Air Act, as amended).

Dated: November 3, 1981.

Anne M. Gorsuch,
Administrator.

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

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

Subpart AA—Missouri

1. Section 52.1320 is amended by adding paragraph (c)(31) as follows:

§ 52.1320 Identification of plan.

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

(31) A report from the East-West Gateway Coordinating Council outlining commitments to transportation control measures, an analysis of those measures, and the results of the carbon monoxide dispersion modeling, submitted on February 12 and April 28, 1981, is approved as meeting the applicable condition on the SIP.

§ 52.1324 [Amended]

2. Section 52.1324 is amended by removing paragraphs (c)(1) and (c)(1)(iii) (A) and (B).

[FR Doc. 81-32453 Filed 11-9-81; 8:45 am]
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40 CFR Part 120

[FRL 1935-61]

Water Quality Standards; Welch Creek, North Carolina; Withdrawal of Regulation

AGENCY: Environmental Protection Agency.

ACTION: Withdrawal of a rule.

SUMMARY: EPA is withdrawing a rule that established Federal water quality standards for a segment of Welch Creek located near Plymouth, North Carolina. EPA believes that revisions to North Carolina water quality standards which reinstate the prior State regulation make the Federally promulgated rule unnecessary.

DATE: This withdrawal is effective December 10, 1981.

FOR FURTHER INFORMATION CONTACT: Mr. R. F. McGhee, EPA, Region IV, 345 Courtland Street, Atlanta, GA 30365, (404) 881-4793.

SUPPLEMENTARY INFORMATION:

Background

On October 16, 1979, EPA proposed a dissolved oxygen criterion for Welch Creek (44 FR 59565). The Agency proposed to nullify the zero dissolved oxygen criterion assigned by the State of North Carolina to the subject segment of Welch Creek and, in effect, reestablish the State's previous criterion of 5 mg/l average, 4 mg/l minimum (with the provision that swamp waters may have lower values if caused by natural conditions). The final rule was promulgated on April 1, 1980 (45 FR 21246).

On June 12, 1980, the North Carolina Division of Environmental Management reinstated the Statewide oxygen criterion (average of 5 mg/l minimum 4 mg/l) for Welch Creek. This revision was approved by EPA Region IV on August 18, 1980. Accordingly EPA is withdrawing 40 CFR 120.43, the rule that reinstated the oxygen criterion for Welch Creek because it is now duplicative of the State criterion.

Availability of Record

The administrative record for the consideration of North Carolina's revised water quality standards is available for public inspection and copying at the Environmental Protection Agency, Region IV Office, Water Division, 345 Courtland Street, N.E. Atlanta, Georgia 30308 during normal weekday business hours of 8:00 a.m. to 4:30 p.m. The approved North Carolina water quality standards and the State's administrative record is available for inspection and copying from the Criteria and Standards Division (WH-585), 401 M Street, S.W., Washington, D.C. 20460 in Room 2818 of the Mall.

Regulatory Analysis

Under Executive Order 12291, EPA must judge whether a regulation is "major" and therefore subject to the requirements of a Regulatory Impact Analysis. This regulatory action is not major because it withdraws a Federal regulation that now duplicates a State regulation. It imposes no new regulatory requirements.

This notice was submitted to the Office of Management and Budget for review as required by Executive Order 12291.