

requirements of section 110 of the Clean Air Act (CAA) and 40 CFR part 51. In the Final Rules Section of this **Federal Register**, the EPA is approving the State's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this rule. If the EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this document.

DATES: Comments on this proposed rule must be received in writing by February 10, 1995.

ADDRESSES: Written comments should be addressed to Montel Livingston, Environmental Protection Specialist (AT-082), Air Programs Section, at the EPA Regional Office listed below. Copies of the documents relevant to this proposed rule are available for public inspection during normal business hours at the following locations. The interested persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before the visiting day. U.S. Environmental Protection Agency, Region 10, Air Programs Section, 1200 6th Avenue, Seattle, WA 98101. Oregon Department of Environmental Quality, 811 SW. Sixth Avenue, Portland, Oregon 97204.

FOR FURTHER INFORMATION CONTACT: Rindy Ramos, Air & Radiation Branch (AT-082), EPA, Seattle, Washington 98101, (206) 553-6510.

SUPPLEMENTARY INFORMATION: See the information provided in the Direct Final action which is located in the Rules Section of this **Federal Register**.

Dated: November 16, 1994.

Chuck Clarke,

Regional Administrator.

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40 CFR Part 52

[IN 45-1-6618; FRL-5138-3]

Approval and Promulgation of Implementation Plans; Indiana

AGENCY: United States Environmental Protection Agency (USEPA).

ACTION: Proposed rule.

SUMMARY: An important component of the Indiana State Implementation Plan (SIP) for Volatile Organic Compounds (VOCs) consists of a two-part VOC definition. For purposes of remaining consistent with Federal regulations, the State of Indiana submitted a revision to the SIP which incorporates the current Federal VOC definition requirements contained in the Code of Federal Regulations (CFR) part 51 except that, unlike the Federal definition, the Indiana rule contains the exclusion of "vegetable oils." Because the State has committed to correcting this deficiency by January 31, 1996, USEPA is proposing conditional approval of this SIP revision request. If the State fails to correct the deficiency, the conditional approval will convert to a disapproval.

DATES: Comments on this revision request and on the proposed USEPA action must be received by February 10, 1995.

ADDRESSES: Copies of the SIP revision request and USEPA's analysis are available for inspection at the following address: U.S. Environmental Protection Agency, Region 5, Air and Radiation Division (AR-18J), 77 West Jackson Boulevard, Chicago, Illinois 60604. (It is recommended that you telephone Rosanne Lindsay at (312) 353-1151, before visiting the Region 5 Office.)

Written comments should be sent to: J. Elmer Bortzer, Chief, Regulation Development Section, Regulation Development Branch (AR-18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: Rosanne Lindsay at (312) 353-1151.

SUPPLEMENTARY INFORMATION:

I. Summary of State Submittal

The VOC definition, adopted by the Indiana Air Pollution Control Board on June 2, 1993, is in two parts, located under Title 326 Indiana Administrative Code (IAC) 1-2-48 (for nonphotochemically reactive hydrocarbon) and 326 IAC 1-2-90 (for VOC). The definition, at 326 IAC 1-2-48.1, is amended to add five halocarbon compounds and four classes of perfluorocarbons to the list of organic compounds considered to be "negligibly reactive" in the formation of Ozone. In 326 IAC 1-2-90.1, Indiana amends the definition by excluding five carbon compounds that have negligible photochemical reactivity. These amendments, as described, comport with the Federal requirements.

Indiana has also added an exclusion of vegetable oils to the VOC definition, which makes it inconsistent with the

revised Federal definition of VOC promulgated as part of the February 3, 1992 (57 FR 3945) final rule. 40 CFR 51.100(s). The exclusion of vegetable oils is based on comments and material presented at a State hearing on March 22, 1993. During the hearing, representatives from Frito-Lay, National Food Processors Association, Corn Refiners Association, and Institute of Shortening and Edible Oils, Inc., provided a 1991 USEPA report entitled, "The Impact of Declaring Soybean Oil Exempt from VOC Regulations on the Coatings Program." Also included, in support of the exclusion, was an August 21, 1990, Memorandum from the Director of USEPA's Air Quality Management Division, to the Director of the Air, Pesticides, and Toxics Management Divisions, Region IV.

II. Analysis of State Submittal

USEPA does not recognize the exclusion of vegetable oils from the definition of VOC, because this exclusion was not contained in the February 3, 1992 final rule (57 FR 3945). To the extent that the August 21, 1990 Memorandum and the 1991 USEPA report, cited above, are inconsistent with the February 3, 1992 rule, they are superseded by the February 3, 1992 final rule.

Vegetable processing sources cannot be exempted from the VOC definition rule, as proposed by the State of Indiana. Subject sources, however, may be able to seek source category exemptions under the generic non-Control Technology Guideline (non-CTG sources) RACT rule, if supported by documentation acceptable to the USEPA.

Based on EPA's preliminary analysis that the State's submittal was unapprovable, Indiana submitted to USEPA, a letter dated December 14, 1994, committing to the necessary rule revision. In accordance with an attached schedule, Indiana expects a final rule to be adopted and submitted to USEPA by January 1996.

III. Proposed Rulemaking Action and Solicitation of Public Comment

USEPA is proposing a conditional approval of the Indiana VOC definition rule because the State has committed to correct the rule so that it fully comports with USEPA requirements as established in the February 3, 1992, final rule. Upon a final conditional approval by EPA, if the State ultimately fails to meet its commitment to correct the deficiency, noted herein, by January 31, 1996, the date the State committed to in its commitment letter, then USEPA's action for the State's requested