

the notice to state the statutory basis of the seizure and a brief narration of the facts leading to the conclusion that the property seized is subject to forfeiture. These two requirements are somewhat redundant, and their language varies from the notice requirements of the seizing agencies of the Departments of Justice and Treasury. Modifying the language of the Postal Service's notice requirements will eliminate the redundancy and make Postal Service forfeiture regulations more consistent with Justice and Treasury forfeiture regulations.

**List of Subjects in 39 CFR Part 233**

Crime, Law enforcement, Postal service, Seizures and forfeitures.

Accordingly, 39 CFR part 233 is amended as set forth below.

**PART 233—INSPECTION SERVICE/INSPECTOR GENERAL AUTHORITY**

1. The authority citation for part 233 continues to read as follows:

**Authority:** 39 U.S.C. 101, 401, 402, 403, 404, 406, 410, 411, 3005(e)(1); 12 U.S.C. 3401-3422; 18 U.S.C. 981, 1956, 1957, 2254, 3061; 21 U.S.C. 881; Inspector General Act of 1978, as amended (Pub. L. No. 95-452, as amended), 5 U.S.C. App. 3.

2. Section 233.7(h)(1) is amended by revising the second sentence to read as follows:

**§ 233.7 Forfeiture authority and procedures.**

\* \* \* \* \*

(h) \* \* \*  
 (1) \* \* \* The notice must describe the property seized; state the date, place, and cause for seizure; and inform the party of the intent of the Postal Inspection Service to forfeit the property. \* \* \*

\* \* \* \* \*

**Stanley F. Mires,**

*Chief Counsel, Legislative.*

[FR Doc. 95-3559 Filed 2-13-95; 8:45 am]

BILLING CODE 7710-12-P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[FL-53-1-6740; FRL-5114-8]

**Approval and Promulgation of Implementation Plans Florida: Title V, Section 507, Small Business Stationary Source Technical and Environmental Compliance Assistance Program**

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

**ACTION:** Final rule.

**SUMMARY:** EPA is approving revisions to the State Implementation Plan (SIP) submitted by the State of Florida through the Florida Department of Environmental Protection (FDEP) for the purpose of establishing a Small Business Stationary Source Technical and Environmental Compliance Assistance Program (PROGRAM), which will be fully implemented by November 1994. This implementation plan was submitted by FDEP on February 24, 1993, to satisfy the federal mandate to ensure that small businesses have access to the technical assistance and regulatory information necessary to comply with the Clean Air Act, as amended (CAA).

**EFFECTIVE DATE:** This approval is effective March 16, 1995.

**ADDRESSES:** Copies of the documents relative to this action 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.

Air and Radiation Docket and Information Center (Air Docket 6102), U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460  
 Environmental Protection Agency, Region 4 Air Programs Branch, 345 Courtland Street NE., Atlanta, Georgia 30365  
 Air Resources Management Division, Florida Department of Environmental Protection, Twin Towers Office Building, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

**FOR FURTHER INFORMATION CONTACT:** Mr. Joey LeVasseur, Regulatory Planning and Development Section, Air Programs Branch, Air, Pesticides & Toxics Management Division, Region 4 Environmental Protection Agency, 345 Courtland Street, NE., Atlanta, Georgia 30365. The telephone number is 404/347-3555 x4215. Reference file FL053-01-5923.

**SUPPLEMENTARY INFORMATION:** Implementation of the CAA requires small businesses to comply with specific regulations in order for areas to attain and maintain the national ambient air quality standards (NAAQS) and reduce the emission of air toxics. In anticipation of the impact of these requirements on small businesses, the CAA requires that states adopt a PROGRAM, and submit this PROGRAM as a revision to the federally approved SIP. On February 24, 1993, the Florida Department of Environmental Protection submitted to EPA for approval, the

requisite revisions to the SIP establishing the PROGRAM. These revisions were adopted by the Florida Legislature by amending chapter 403 of the Florida Statute, approved on April 8, 1992. The EPA reviewed this request for revision of the federally approved SIP and found it to be in conformance with the requirements of the 1990 CAA. EPA therefore published a notice to approve the revisions without prior proposal (59 FR 8542, February 23, 1994).

In the final rulemaking, EPA advised the public the effective date of the action was deferred for 60 days (until April 25, 1994) to provide an opportunity to submit comments. EPA announced if notice was received within 30 days of the publication of the final rule that someone wanted to submit adverse or critical comments, the final action would be withdrawn and a new rulemaking would begin by proposing a 30 day comment period. EPA had earlier published a general notice explaining this special procedure (56 FR 44477, September 4, 1991). Adverse comments were received on the 59 FR 8542 notice (February 23, 1994). Accordingly, EPA withdrew the direct final rule (59 FR 21664, April 26, 1994) and simultaneously proposed approval (59 FR 21738, April 26, 1994) of the aforementioned Florida revisions to the SIP. The proposed rule formally solicited comments and one adverse comment was subsequently received.

**Comments.** The commenter, representing a trade association, indicated the proposed structure of the Florida Small Business Assistance Program (SBAP) was "fraught with risk" and "created a potential conflict of interest." The Florida Program combines the roles of the ombudsman, technical assistance and staffing for the Compliance Advisory Panel in a single office. The commenter was thus concerned that the inherent checks and balances intended by section 507 of the CAA would be compromised.

**Response.** The Agency recognizes the legitimacy of the commenter's concerns. Prior to the publication of the February 23, 1994, **Federal Register** notice, the Agency considered this particular issue in depth. The governing document is the Guidelines for Implementation of Section 507 of the 1990 Clean Air Act Amendments; and, in particular, two specific portions therein:

The State must comply with all statutory requirements of the Act, however, to the extent that the EPA is interpreting the Act requirements, these interpretations are not binding on the States \* \* \* (Preface of Guidelines); and