

**DEPARTMENT OF EDUCATION****34 CFR Part 99****Family Educational Rights and Privacy**

AGENCY: Department of Education.

ACTION: Final regulations; correction.

**SUMMARY:** On January 17, 1995 (60 FR 3464), the Secretary of Education published in the **Federal Register** final regulations implementing the Family Educational Rights and Privacy Act. This document corrects an error that was made in the effective date.

**FOR FURTHER INFORMATION CONTACT:**

Ellen Campbell, Family Policy Compliance Office, Office of Management, U.S. Department of Education, 600 Independence Avenue, SW., Washington, DC 20202-4605. Telephone (202) 260-3887. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

**SUPPLEMENTARY INFORMATION:** The final regulations published on January 17 stated that the effective date was 45 days from the date of publication in the **Federal Register** subject to certain conditions. This document corrects the effective date to read "These regulations take effect on February 16, 1995."

Dated: February 8, 1995.

**Rodney McCowan,**

*Assistant Secretary, Office of Management.*  
[FR Doc. 95-3699 Filed 2-14-95; 8:45 am]

BILLING CODE 4000-01-P

**ENVIRONMENTAL PROTECTION****AGENCY****40 CFR Part 52**

[OR11-2-6854; FRL-5145-3]

**Approval and Promulgation of State Implementation Plans: Oregon**

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

**SUMMARY:** Environmental Protection Agency (EPA) is taking final action to approve a revision to the state implementation plan (SIP) submitted by the State of Oregon for the purpose of bringing about the attainment of the national ambient air quality standards (NAAQS) for particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers (PM-10). The implementation plan was submitted

by the State to satisfy certain Federal requirements for an approvable moderate nonattainment area PM-10 SIP for La Grande, Oregon.

**EFFECTIVE DATE:** This action will be effective on March 17, 1995.

**ADDRESSES:** Copies of the State's request and information supporting today's action are available for public inspection during normal business hours at the following locations: EPA, 1200 Sixth Avenue, Seattle, WA 98101, and the State of Oregon Department of Environmental Quality, 811 S.W. Sixth Avenue, Portland, OR 97204-1390.

**FOR FURTHER INFORMATION CONTACT:**

Montel Livingston, Air and Radiation Branch (AT-082), EPA, 1200 Sixth Avenue, Seattle, WA 98101 (206) 553-0180.

**SUPPLEMENTARY INFORMATION:****I. Background**

The Union County, La Grande, Oregon, Urban Growth Boundary (UGB), was designated nonattainment for PM-10 and classified as moderate under sections 107(d)(4)(B) and 188(a) of the Clean Air Act (CAA), upon enactment of the Clean Air Act Amendments (CAAA) of 1990<sup>1</sup> (see 56 FR 56694 (November 6, 1991) and 40 CFR § 81.338). The air quality planning requirements for moderate PM-10 nonattainment areas are set out in subparts 1 and 4 of Title I of the Act.<sup>2</sup> EPA has issued a "General Preamble" describing EPA's preliminary views on how EPA intends to review SIP's and SIP revisions submitted under Title I of the Act, including those State submittals containing moderate PM-10 nonattainment area SIP requirements (see generally 57 FR 13498 (April 16, 1992) and 57 FR 18070 (April 28, 1992)).

The State of Oregon was required to submit for the La Grande PM-10 nonattainment area, among other things, the following provisions by November 15, 1991:

1. Provisions to assure that reasonably available control measures (RACM) (including such reductions in emissions from existing sources in the area as may be obtained through the adoption, at a

minimum, of reasonably available control technology (RACT)) shall be implemented no later than December 10, 1993;

2. Either a demonstration (including air quality modeling) that the plan will provide for attainment as expeditiously as practicable but no later than December 31, 1994, or a demonstration that attainment by that date is impracticable;

3. Quantitative milestones which are to be achieved every three years and which demonstrate reasonable further progress (RFP) toward attainment by December 31, 1994; and

4. Provisions to assure that the control requirements applicable to major stationary sources of PM-10 also apply to major stationary sources of PM-10 precursors except where the Administrator determines that such sources do not contribute significantly to PM-10 levels which exceed the NAAQS in the area. (see sections 172(c), 188, and 189 of the Act).

Additional provisions are due at a later date. States with initial moderate PM-10 nonattainment areas were required to submit a permit program for the construction and operation of new and modified major stationary sources of PM-10 by June 30, 1992 (see section 189(a)). Such States also were required to submit contingency measures by November 15, 1993, which become effective without further action by the State or EPA, upon a determination by EPA that the area has failed to achieve RFP or to attain the PM-10 NAAQS by the applicable statutory deadline (see section 172(c)(9) and 57 FR 13543-13544).

To address the CAAA of 1990, Oregon submitted a PM-10 nonattainment area SIP for La Grande, Oregon, on November 15, 1991. EPA reviewed the November 15, 1991, SIP revision according to its interpretation of subpart 1 and 4 of Part D of Title I of the Act. EPA concluded from its review that the SIP met the applicable requirements of the Act and EPA, therefore, indicated that it was approving the plan to be effective on August 30, 1994, unless adverse or critical comments were received by August 1, 1994, (see 59 FR 33914, July 1, 1994).

On July 1, 1994, EPA also published an accompanying proposed rule (see 59 FR 33941) explaining that if adverse comments were received on the prospective final rule approval of the La Grande PM-10 SIP, then the final rule would be withdrawn and all comments would be responded to in relation to the proposal. The notice also indicated that anyone wishing to comment should do so by August 1, 1994.

<sup>1</sup>The 1990 Amendments to the Clean Air Act made significant changes to the Act. See Pub. L. No. 101-549, 104 Stat. 2399. References herein are to the Clean Air Act, as amended ("the Act"). The Clean Air Act is codified, as amended, in the U.S. Code at 42 U.S.C. sections 7401, et seq.

<sup>2</sup>Subpart 1 contains provisions applicable to nonattainment areas generally and subpart 4 contains provisions specifically applicable to PM-10 nonattainment areas. At times, subpart 1 and subpart 4 overlap or conflict. EPA has attempted to clarify the relationship among these provisions in the "General Preamble" and, as appropriate, in today's notice and supporting information.