

Regulations of the Department of Environmental Conservation, effective April 23, 1994, Register 130; and the amendments to 18 AAC 50 (50.021, 50.300(a)(7) and (a)(8), 50.300 (d), (e), and (g), 50.400(a)(1)(A), 50.400(c)(3)(B)(ii), 50.400(c)(4), 50.400(d)(4), and 50.620), State Air Quality Control Plan, found in Volume III: Appendices, Modifications to Section III.A, effective April 23, 1994, Register 130.

§ 52.74 [Amended]

3. In § 52.74, paragraphs (a) and (c) are removed and the paragraph designation for paragraph (b) is removed.

4. Sections 52.73, 52.80, 52.84, and 52.95 are removed and reserved.

[FR Doc. 95-3859 Filed 2-15-95; 8:45 am]

BILLING CODE 6560-50-P

40 CFR Part 52

[CA 40-1-6813 FRL-5145-7]

Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, Bay Area Air Quality Management District and Ventura County Air Pollution Control District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is finalizing the approval of revisions to the California State Implementation Plan (SIP) proposed in the **Federal Register** on December 17, 1993. The revisions concern rules from the following districts: The Bay Area Air Quality Management District (BAAQMD) and the Ventura County Air Pollution Control District (VCAPCD). This approval action will incorporate these rules into the federally approved SIP. The intended effect of approving these rules is to regulate emissions of volatile organic compounds (VOCs) in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). The rules control VOC emissions from leaking valves and connectors at petroleum refinery complexes, chemical plants, bulk plants, and bulk terminals (BAAQMD Rule 8-18); and fugitive emissions from petroleum refineries and chemical plants (VCAPCD Rule 74.7). Thus, EPA is finalizing the approval of these rules into the California SIP under provisions of the CAA regarding EPA action on SIP submittals, SIPs for national primary and secondary ambient air quality standards and plan requirements for nonattainment areas.

EFFECTIVE DATE: This final rule is effective on March 20, 1995.

ADDRESSES: Copies of the submitted rules and EPA's evaluation report for each rule are available for public inspection at EPA's Region IX office during normal business hours. Copies of the submitted rules are available for inspection at the following locations:

Rulemaking Section (A-5-3), Air and Toxics Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105.

Environmental Protection Agency, Air Docket 6102, 401 "M" Street SW., Washington, DC 20460.

Bay Area Air Quality Management District, 939 Ellis Street, San Francisco, CA 94109.

Ventura County Air Pollution Control District, 669 County Square Drive, Second floor, Ventura, CA 93003.

FOR FURTHER INFORMATION CONTACT:

Christine Vineyard, Rulemaking Section, Air and Toxics Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105, Telephone: (415) 744-1197.

SUPPLEMENTARY INFORMATION:

Background

On December 17, 1993 in 58 FR 65959, EPA proposed to approve the following rules into the California SIP: BAAQMD's Rule 8-18, Valves and Connectors at Petroleum Refinery Complexes, Chemical Plants, Bulk Plants, and Bulk Terminals; and VCAPCD's Rule 74.7, Fugitive Emissions of Reactive Organic Compounds at Petroleum Refineries and Chemical Plants. The BAAQMD adopted Rule 8-18 on March 4, 1992 and the VCAPCD adopted Rule 74.7 on January 10, 1989. The California Air Resources Board (CARB) submitted these rules on November 12, 1992 and March 26, 1990, respectively. These rules were submitted in response to EPA's 1988 SIP-Call and the CAA section 182(a)(2)(A) requirement that nonattainment areas fix their reasonably available control technology (RACT) rules for ozone in accordance with EPA guidance that interpreted the requirements of the pre-amendment Act. A detailed discussion of the background for each of the above rules and nonattainment areas is provided in the notice of proposed rulemaking (NPRM) cited above.

EPA has evaluated the above rules for consistency with the requirements of the CAA and EPA regulations and EPA interpretation of these requirements as expressed in the various EPA policy guidance documents referenced in the NPRM cited above. EPA has found that the rules meet the applicable EPA

requirements. A detailed discussion of the rule provisions and evaluations has been provided in 58 FR 65959 and in technical support documents (TSDs) available at EPA's Region IX office (TSDs dated May 13, 1993—BAAQMD Rule 8-18 and June 21, 1993—VCAPCD 74.7).

Response to Public Comments

A 30-day public comment period was provided in 58 FR 65959. No comments were received.

EPA Action

EPA is finalizing action to approve the above rules for inclusion into the California SIP. EPA is approving the submittal under section 110(k)(3) as meeting the requirements of section 110(a) and Part D of the CAA. This approval action will incorporate these rules into the federally approved SIP. The intended effect of approving these rules is to regulate emissions of VOCs in accordance with the requirements of the CAA.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any state implementation plan. Each request for revision to the state implementation plan shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

Regulatory Process

The Office of Management and Budget has exempted this action from review under Executive Order 12866.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Note: Incorporation by reference of the State Implementation Plan for the State of California was approved by the Director of the Federal Register on July 1, 1982.

Dated: January 11, 1995.

Felicia Marcus,

Regional Administrator.

Part 52, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401-7671q.