

15 ppmv for units greater than 10 MW not using SCR. The corresponding emission limits for oil-fired units are 65 ppmv, 65 ppmv, 25 ppmv, and 42 ppmv, respectively. PCAPCD's Rule 250 incorporates the BARCT limits for gas turbines and is consistent with all of the guidance's other requirements. The rule contains adequate recordkeeping requirements, and the appropriate test methods for compliance determinations are referenced. The exemptions provided in the rule are consistent with EPA guidelines. The rule requires final compliance by May 31, 1995. A more detailed discussion of the sources controlled, the controls required, and the justification for why these controls represent RACT can be found in the Technical Support Document (TSD) for Rule 250, dated November 28, 1994.

The NO_x limits suggested by the California Air Resources Board (ARB) as RACT for IC engines rated at 50 brake horsepower or more are 50 ppmv (90% reduction) for rich-burn engines, 125 ppmv (80% reduction) for lean-burn engines, and 610 ppmv for diesel engines. These limits were recommended using information regarding average, actual, uncontrolled levels and previous regulatory control in Ventura County, the South Coast Basin, and Santa Barbara County. EPA agrees that these limits are consistent with the Agency's guidance and policy for making RACT determinations in terms of general cost-effectiveness, emission reductions, and environmental impacts.

VCAPCD's Rule 74.9 has already been incorporated into the SIP and its RACT limits are consistent with those recommended by the California ARB. However, this most recent submittal includes the following significant changes from the current SIP:

1. The provisions of the rule now apply to IC engines rated at 50 hp and above, operating on any gaseous fuel, including liquid petroleum gas (LPG) or diesel fuel.

2. The NO_x emission standards for rich-burn engines and lean-burn engines have been reduced to 25 ppmv and 45 ppmv, respectively. Rich-burn engines and lean-burn engines that operate on waste gas are no longer exempt from the rule and must comply with the rule's old emission limits of 50 ppmv and 125 ppmv, respectively. An 80 ppmv standard for diesel engines and emission limits for CO and VOCs have also been added to the rule.

3. The rule prohibits the discharge of ammonia in excess of 20 ppmv from any emission control device.

4. The provisions allowing groups of operators to combine their engines and

resources and be considered a single operator have been deleted.

5. The provisions allowing the results from NO_x control demonstration projects on lean-burn engines in other counties, to be used by sources in the VCAPCD to satisfy the requirements of the rule, have been deleted.

6. The Cost-Effectiveness Certification provision has been deleted since it is no longer necessary.

7. The rule now requires annual reports of fuel usage, source test results, and other operational data about each engine before permit renewal.

8. The Special Circumstances provisions that allow variances from the rule have been deleted. EPA Method 20 with the District's modifications is no longer used for compliance determinations.

9. The rule's definitions and exemptions have been updated.

The California ARB is in the process of adopting the more stringent emission standards of Rule 74.9 as BARCT for IC engines. A more detailed discussion of the sources controlled, the controls required, and the justification for why these controls represent RACT can be found in the Technical Support Document (TSD) for Rule 74.9, dated December 5, 1994.

EPA has evaluated the submitted rules and has determined that they are consistent with the CAA, EPA regulations and EPA policy. Therefore, PCAPCD's Rule 250, "Stationary Gas Turbines," and VCAPCD Rule 74.9, "Stationary Internal Combustion Engines," are being proposed for approval under section 110(k)(3) of the CAA as meeting the requirements of section 110(a), section 182(b)(2), section 182(f) and the NO_x Supplement to the General Preamble.

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.⁴

Regulatory Flexibility

Under the Regulatory Flexibility Act, 5 U.S.C. 600 et seq., EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or

⁴ VCAPCD's Rule 74.9 references California ARB Method 100, which has been cited for certain deficiencies by the Emissions Measurement Branch. The California ARB has committed to correcting these deficiencies, and final approval of Rule 74.9 is contingent on these corrections.

final rule on small entities. 5 U.S.C 603 and 604. Alternatively, EPA may certify that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

SIP approvals under section 110 and subchapter I, Part D of the CAA do not create any new requirements, but simply approve requirements that the State is already imposing. Therefore, because the Federal SIP-approval does not impose any new requirements, I certify that it does not have a significant impact on affected small entities. Moreover, due to the nature of the Federal-state relationship under the CAA, preparation of a regulatory flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The CAA forbids EPA to base its actions concerning SIPs on such grounds. *Union Electric Co. v. U.S. E.P.A.*, 427 U.S. 246, 256-66 (S.Ct. 1976); 42 U.S.C. 7410(a)(2).

The OMB has exempted this regulatory action from review under Executive Order 12866.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements, Volatile organic compound.

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

Dated: April 12, 1995.

Felicia Marcus,

Regional Administrator.

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DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

43 CFR Parts 426 and 427

[IN: 1006-AA32]

Acreage Limitation and Water Conservation Rules and Regulations

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of public hearings on the proposed rulemaking.

SUMMARY: In response to a September 1993 contract for settlement of a lawsuit filed by the Natural Resources Defense Council, National Wildlife Federation, California Natural Resources Federation,

California Association of Family Farmers, California Action Network, League of Rural Voters Inc., and County of Trinity, California; the Bureau of Reclamation (Reclamation) has prepared new acreage limitation and water conservation rules and regulations for implementing the Reclamation Reform Act of 1982, as amended, throughout the 17 Western United States. The proposed rules were published in the **Federal Register** on April 3, 1995 (60 FR 16922, Apr. 3, 1995), and are open to a 60-day review and comment period which will close on June 2, 1995.

Public hearings will be held to receive comments from interested organizations and individuals on the proposed rules. During the week prior to the scheduled hearings there will be several public forums at various locations throughout the Western States to provide an opportunity for the public to receive information and clarification concerning the proposed changes to the rules and regulations. Information regarding these forums will be provided to affected parties by mail.

DATES: Public hearings on the proposed rules are scheduled as follows:

1. May 8, 1995, at 7:00 p.m. Yakima, Washington; Billings, Montana
2. May 9, 1995, at 7:00 p.m., Boise, Idaho; Lakewood, Colorado
3. May 10, 1995, at 7:00 p.m., Sacramento, California; Phoenix, Arizona
4. May 11, 1995, at 7:00 p.m., Salt Lake City, Utah; Fresno, California

ADDRESSES: The hearings will be held at the following locations:

1. Yakima—Red Lion Inn (Yakima Valley), 1507 North First Street, Yakima, Washington
- Billings—Sheraton Hotel, 27 North 27th Street, Billings, Montana
2. Boise—Red Lion Inn Riverside, 2900 Chinden Blvd., Boise, Idaho
- Lakewood—Sheraton Denver West Hotel, 360 Union Blvd, Lakewood, Colorado
3. Sacramento—Red Lion Hotel, 2001 Point West Way, Sacramento, California
- Phoenix—Hilton Point at South Mountain, 7777 South Point Parkway, Phoenix, Arizona
4. Salt Lake City—Hilton Hotel, 150 West 500 South, Salt Lake City, Utah
- Fresno—Holiday Inn (Airport), 5090 East Clinton, Fresno, California

Written comments for inclusion in the official record should be received at the Bureau of Reclamation by June 2, 1995. Comments should be addressed to: Mr Ronald J. Schuster (D-5010), Westwide Settlement Manager, Bureau of Reclamation, Denver Office, PO Box 25007, Denver CO 80225.

A dedicated toll-free telephone line has been established at 1-800-861-5443 through June 2, 1995 to accommodate oral comments from those not attending a public hearing. Comments will be recorded on tape and transcribed by a court reporter, and will be part of the official record. Statements are limited to 10 minutes and must include the commentator's name in order to be included in the official record. Address and affiliation are optional.

FOR FURTHER INFORMATION CONTACT:

Ronald J. Schuster, (303) 236-9336, ext. 237.

SUPPLEMENTARY INFORMATION: An identical notice is published in this **Federal Register** regarding public hearings on the environmental impacts of the proposed rules and regulations for implementing the Reclamation Reform Act of 1982.

Ground rules for the hearings are presented below:

- While each hearing is in session, all comments will be recorded by a court reporter.
- Speakers should identify themselves and any organization that they represent.
- Statements will be limited to 10 minutes, and speakers will not be allowed to trade time to obtain longer presentations. The hearing officer may allow any speaker additional time after all scheduled speakers have been heard. The hearing officer may also shorten the 10 minute limit if the number of speakers is too large to fit within a reasonable time frame.
- No one will be recognized to speak other than those parties who are presenting statements.
- To ensure a complete and accurate record, it will be necessary that only one person speak at a time.
- Persons presenting views will not be sworn in or otherwise placed under oath.
- There will be no examination or interrogation of speakers.
- There will be no response by the hearing officer or other Bureau of Reclamation staff on speaker comments.
- Due to the shortness of available time, speakers are encouraged to summarize their comments as much as possible and give the court reporter a copy of their full statement which will be added to the official record.
- Speakers will be scheduled according to the order in which they sign up. Any speaker not present when called will lose his or her turn in the scheduled order, but will be given an opportunity to speak at the end of the scheduled presentations.

- After the scheduled speakers have been heard, each individual who wishes to speak will be afforded that opportunity.
- People are asked to refrain from clapping or other actions that might interfere with the speakers or hearing.

Dated: April 18, 1995.

Wayne O. Deason,

Assistant Director, Program Analysis Office.

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DEPARTMENT OF TRANSPORTATION

Maritime Administration

46 CFR Part 383

[Docket No. R-156]

RIN 2133-AB16

Determination of Fair and Reasonable Guideline Rates for the Carriage of Less-Than-Shipload Lots of Bulk and Packaged Preference Cargoes on U.S.-Flag Commercial Liner Vessels

AGENCY: Maritime Administration, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The regulations at 46 CFR part 383 ("Rule") specify the procedures for the calculation of fair and reasonable guideline rates for certain preference cargoes carried in U.S.-flag vessels employed in a liner service. Currently, the rule applies only to less-than-shipload lots of dry bulk preference cargoes on U.S.-flag vessels. The United States Department of Agriculture (USDA) and the Agency for International Development (AID), the major U.S. government shipper agencies, have requested that the Maritime Administration (MARAD) provide them with guideline rates for bagged and packaged agricultural commodities and to clarify MARAD's policy for prioritization of U.S.-flag shipping services for compliance with the cargo preference requirements of the Cargo Preference Act of 1954. MARAD provides guideline rates for such commodities on bulk vessels, under a similar regulation for bulk vessels at 46 CFR part 382, but does not now provide guideline rates for bagged or packaged cargoes in less-than-shipload lots on vessels in a liner service. This amendment will extend the scope of the rule to cover bagged or packaged agricultural commodities in parcels of 5,000 tons and greater on vessels in a liner service. Prioritization is outside the scope of these regulations; MARAD will address this issue separately at a later date.