

accompany any proposed or final rule that includes a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate; or to the private sector, of \$100 million or more. Under Section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the approval action promulgated today does not include a Federal mandate that may result in estimated costs of \$100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. This Federal action approves pre-existing requirements under State or local law, and imposes no new Federal requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by October 23, 1995. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2), 42 U.S.C. 7607(b)(2).)

**List of Subjects in 40 CFR Part 52**

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Reporting and recordkeeping requirements.

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

Dated: July 20, 1995.

**Chuck Clarke,**

*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.

**Subpart WW—Washington**

2. Section 52.2470 is amended by adding paragraph (c) (55) to read as follows:

**§ 52.2470 Identification of plan.**

\* \* \* \* \*

(c) \* \* \*

(55) On January 22, 1993 the Director of the Washington State Department of Ecology (WDOE) submitted the amendment to the Washington SIP for Carbon Monoxide (CO) in the King, Pierce, and Snohomish Counties' Urbanized Areas.

(i) Incorporation by reference.

(A) The January 22, 1993 letter from the Director of the WDOE submitting the Amendment to the Washington SIP for Carbon Monoxide in the King, Pierce, and Snohomish Counties' Urbanized Areas to EPA, "Supplement to the SIP for Washington State, Puget Sound Carbon Monoxide Nonattainment Area, January 1993," Section 6.0 Vehicle Miles Traveled Forecasting and Tracking, adopted on January 22, 1993.

(ii) Additional material.

(A) VMT supplements to include the VMT Tracking Report data required for the Puget Sound CO Nonattainment Areas, dated October 13, 1994 and September 19, 1994.

[FR Doc. 95-20801 Filed 8-22-95; 8:45 am]

BILLING CODE 6560-50-P

**40 CFR Part 52**

[CA 79-2-7068; FRL-5267-6]

**Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, Placer County Air Pollution Control 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 November 28, 1994, and April 24, 1995. This final action will incorporate these rules into the federally approved SIP. The intended effect of approving these rules is to regulate emissions of oxides of nitrogen (NO<sub>x</sub>) in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). The rules concern the control of NO<sub>x</sub> from stationary gas turbines, stationary internal combustion engines, and boilers, steam generators, and process heaters. Thus, EPA is finalizing the

approval of these revisions 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 September 22, 1995.

**ADDRESSES:** Copies of the rules and EPA's evaluation report for the rules 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 94105-3901.

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

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 2020 "L" Street, Sacramento, CA 95814.

Placer County Air Pollution Control District, 11464 B Avenue, Auburn, CA 95603.

Ventura County Air Pollution Control District, Rule Development Section, 669 County Square Drive, Ventura, CA 93003.

**FOR FURTHER INFORMATION CONTACT:**

Duane F. James, Rulemaking Section (A-5-3), Air and Toxics Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901, Telephone: (415) 744-1191.

**SUPPLEMENTARY INFORMATION:**

**Background**

On November 28, 1994, in 59 FR 60750, and on April 24, 1995, in 60 FR 20066, EPA proposed to approve the following rules into the California SIP: Placer County Air Pollution Control District's (PCAPCD) Rule 250, "Stationary Gas Turbines," and Ventura County Air Pollution Control District's (VCAPCD) Rule 74.9, "Stationary Internal Combustion Engines," and Rule 74.15.1, "Boilers, Steam Generators, and Process Heaters" (the NPRMs). The PCAPCD adopted Rule 250 on October 17, 1994, and the VCAPCD adopted Rule 74.15.1 on May 11, 1993, and Rule 74.9 on December 21, 1993. These rules were submitted by the California Air Resources Board (ARB) to EPA on November 18, 1993 (Rule 74.15.1), March 29, 1994 (Rule 74.9), and October 19, 1994 (Rule 250). These rules were adopted as part of Placer and Ventura Counties' efforts to achieve the National

Ambient Air Quality Standards (NAAQS) for ozone and in response to Section 182(f) NO<sub>x</sub> RACT requirements of the Clean Air Act (CAA). A detailed discussion of the background for the rules and nonattainment areas is provided in the NPRMs cited above.

EPA has evaluated the 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 NPRMs cited above. EPA has found that the rules meet the applicable EPA requirements. A detailed discussion of the rules' provisions and evaluations has been provided in the NPRMs and in the technical support documents (TSDs), dated March 3, 1994 (Rule 74.15.1), November 28, 1994 (Rule 250), and December 5, 1994 (Rule 74.9), which are available at EPA's Region IX office.

**Response to Public Comments**

A 30-day public comment period was provided in the NPRMs. EPA received no comments on PCAPCD's Rule 250 and VCAPCD's Rules 74.9 and 74.15.1.

**EPA Action**

EPA is finalizing this action to approve the above rules for inclusion into the California SIP. EPA is approving the submittals 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 NO<sub>x</sub> 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.

**Unfunded Mandates**

Under Sections 202, 203, and 205 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, EPA must undertake various actions in association with proposed or final rules that include a Federal mandate that may result in estimated costs of \$100 million or more to the private sector or to State, local, or tribal governments in the aggregate.

Through submission of this state implementation plan or plan revision, the State and any affected local or tribal governments have elected to adopt the program provided for under Part D of the Clean Air Act. These rules may bind State, local, and tribal governments to perform certain actions and also require the private sector to perform certain duties. The rules being approved by this action will impose no new requirements because affected sources are already subject to these regulations under State law. Therefore, no additional costs to State, local, or tribal governments or to the private sector result from this action. EPA has also determined that this final action does not include a mandate that may result in estimated costs of \$100 million or more to State, local, or tribal governments in the aggregate or to the private sector.

**Regulatory Process**

The OMB 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, Nitrogen dioxide, 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: July 21, 1995.

**John Wise,**  
*Acting 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.

**Subpart F—California**

2. Section 52.220 is amended by adding paragraphs (c)(194)(i)(A)(3), (c)(196)(i)(B), and (c)(202)(i)(E) to read as follows:

**§ 52.220 Identification of plan.**

- \* \* \* \* \*
- (c) \* \* \*
- (194) \* \* \*
- (i) \* \* \*
- (A) \* \* \*
- (3) Rule 74.15.1, adopted on May 11, 1993.
- \* \* \* \* \*

- (196) \* \* \*
- (i) \* \* \*
- (B) Ventura County Air Pollution Control District.
- (I) Rule 74.9, adopted on December 21, 1993.
- \* \* \* \* \*
- (202) \* \* \*
- (i) \* \* \*
- (E) Placer County Air Pollution Control District.
- (I) Rule 250, adopted on October 17, 1994.
- \* \* \* \* \*

[FR Doc. 95-20800 Filed 8-22-95; 8:45 am]  
BILLING CODE 6560-50-P

**40 CFR Part 52**

[VA12-1-6863a, VA28-1-5997a; FRL-5262-8]

**Approval and Promulgation of Air Quality Implementation Plans; Virginia (Approval of Miscellaneous Revisions)**

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

**ACTION:** Direct final rule.

**SUMMARY:** EPA is approving State Implementation Plan (SIP) revisions submitted by the Commonwealth of Virginia. These revisions incorporate changes adopted by Virginia in 1989 and 1993 into the federally enforceable Virginia SIP. The intended effect of this action is to revise the federally-approved SIP to reflect the current State requirements. This action is being taken under section 110 of the Clean Air Act.

**DATES:** This final rule is effective October 23, 1995 unless adverse or critical comments are submitted before September 22, 1995. If the effective date is delayed, timely notice will be published in the **Federal Register**.

**ADDRESSES:** Comments may be mailed to Marcia L. Spink, Associate Director, Air Programs, Mailcode 3AT00, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air, Radiation, and Toxics Division, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107; the Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460; and Virginia Department of Environmental Quality, 629 East Main Street, Richmond, Virginia 23219.  
**FOR FURTHER INFORMATION CONTACT:** Harold A. Frankford, (215) 597-1325.