

further guidance to the States on submitting acceptable SIP revisions.

On June 28, 1994, the State of Nevada submitted a SIP revision to EPA in order to satisfy the requirements of Section 507. In order to gain full approval, the State submittal must provide for each of the following PROGRAM elements: (1) the establishment of a Small Business Assistance Program (SBAP) to provide technical and compliance assistance to small businesses; (2) the establishment of a State Small Business Ombudsman to represent the interests of small businesses in the regulatory process; and (3) the creation of a Compliance Advisory Panel (CAP) to determine and report on the overall effectiveness of the SBAP. A detailed discussion of the background for each of the above PROGRAM elements is provided in the May 3, 1995 Federal Register Notice of Proposed Rulemaking (NPR) 60 FR 21781. EPA proposed to partially disapprove the June 28, 1994 submittal for not satisfying the Compliance Advisory Panel requirements for indicating an implementation schedule of milestones showing when the officials will be appointed and when the program will be operational and for not indicating that the Compliance Advisory Panel will review and assure that information for small business stationary sources is easily understandable. On June 20, 1995 the State held a public hearing which adopted an implementation schedule and the aforementioned procedure for insuring information is understandable by the layperson. On July 5, 1995 the State submitted the corresponding SIP revision which became effective on July 5, 1995.

EPA has evaluated all of the above PROGRAM elements for consistency with the requirements of the CAA and the EPA policy guidance document. EPA has found that all the PROGRAM elements now meet the applicable EPA requirements. A detailed discussion of the background for each of the above PROGRAM elements is provided both in this Federal Register and in the May 3, 1995 Federal Register Notice of Proposed Rulemaking (NPR).

## II. Response to Public Comments

A 30-day public comment period was provided in the May 3, 1995 Federal Register NPR. EPA received no public comments.

## III. Final Action

EPA is approving the SIP revisions submitted by the State of Nevada. The revisions were made to satisfy the requirements of Section 507 of the CAA.

EPA is publishing this document without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. However, in a separate document in this Federal Register publication, the EPA is proposing to approve the SIP revision should adverse or critical comments be filed. This action will be effective April 9, 1996, unless, by March 11, 1996, adverse or critical comments are received.

If the EPA receives such comments, this action will be withdrawn before the effective date by publishing a subsequent document that will withdraw the final action. All public comments received will then be addressed in a subsequent final rule based on this action serving as a proposed rule. The EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time. If no such comments are received, the public is advised that this action will be effective April 9, 1996.

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

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 final rule on small entities. 5 U.S.C. 603 and 604. Alternatively, EPA may certify that the rule will not have a significant 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.

By this action, EPA is approving a State program created for the purpose of assisting small businesses in complying with existing statutory and regulatory requirements. The program being approved today does not impose any new regulatory burden on small businesses; it is a program under which small businesses may elect to take advantage of assistance provided by the state. Therefore, because the EPA's approval of this program does not impose any new regulatory requirements on small businesses, I certify that it does not have a significant economic impact on any small entities affected.

### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations.

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

Dated: November 20, 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.

### Subpart DD—Nevada

2. Section 52.1470 is amended by adding paragraphs (c) (34) and (35) to read as follows:

#### § 52.1470 Identification of plan.

\* \* \* \* \*

(c) \* \* \*

(34) Program elements were submitted on June 28, 1994 by the Governor's designee.

(i) Incorporation by reference.

(A) Small Business Stationary Source Technical and Environmental Compliance Assistance Program, adopted on June 28, 1994.

(35) Program elements were submitted on July 5, 1995 by the Governor's designee.

(i) Incorporation by reference.

(A) Small Business Stationary Source Technical and Environmental Compliance Assistance Program, adopted on July 5, 1995.

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## 40 CFR Part 63

[AD-FRL-5419-7]

### National Emission Standards for Hazardous Air Pollutants for Source Categories: Aerospace Manufacturing and Rework Facilities

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; correction.

**SUMMARY:** This document corrects an error in the regulatory text of the final rule for national emissions standards for hazardous air pollutants for aerospace manufacturing and rework facilities that was promulgated in the Federal Register on September 1, 1995 (60 FR 45948).

**EFFECTIVE DATE:** This regulation is effective February 9, 1996.

**FOR FURTHER INFORMATION CONTACT:** For general or technical information concerning the standards, contact Mr. James Szykman, Emission Standards Division (MD-13), U.S. Environmental

Protection Agency, Research Triangle Park, North Carolina 27711; telephone (919) 541-2452.

**SUPPLEMENTARY INFORMATION:** Section 112 of the Act requires EPA to promulgate national emission standards for sources of hazardous air pollutants (HAP). On September 1, 1995 (60 FR 45947), the Agency promulgated final standards for the aerospace manufacturing and rework industry. Among other provisions, the rule established a deadline for existing sources to submit an initial notification to the Administrator.

The submittal of an initial notification by owners or operators of existing sources affected by relevant standards is required under § 63.9(b)(2) of the General Provisions to 40 CFR part 63. Section 63.9(b)(2) requires that this initial notification be submitted to the Administrator within 120 days of the effective date of a promulgated NESHAP. In the case of the final Aerospace NESHAP, affected existing facilities would be required to submit an initial notification by December 30, 1995.

However, in paragraph V.H.(2)(a) of the preamble to the proposed aerospace manufacturing and rework NESHAP published in the Federal Register on June 6, 1994 (59 FR 29216), the Agency stated its intent to override the submittal date specified in the General Provisions and to require owners or operators of affected aerospace manufacturing and rework facilities to submit this initial notification “\* \* \* no later than 12 months before the final compliance date [i.e., by September 1, 1997] \* \* \*.” One comment was received concerning the submittal of the initial notification (see Docket Number A-92-20, Entry Number IV-D-31). This commenter requested that the initial notification be submitted within the 120 days specified in the General Provisions. While the Agency generally favors early interaction amongst the regulated community, permitting agencies, and the public, especially in instances where the final compliance date is less than three years from promulgation; the Agency was not compelled to alter its position from that found in the preamble to the proposed rule because of the three years allowed for existing sources to comply. Therefore, the final rule should have indicated requirements for the submittal of an initial notification within 2 years of the effective date of the final standard. However, language specifying the September 1, 1997 date for submittal of the initial notification was mistakenly omitted from the final rule published in

the Federal Register. In today's document, the Agency has corrected this omission and has included the applicable language.

Dated: February 1, 1996.

Richard D. Wilson,

*Acting Assistant Administrator for Air and Radiation.*

The following corrections are being made in the regulatory text for: National Emission Standards for Hazardous Air Pollutants for Aerospace Manufacturing and Rework Facilities published in the Federal Register on September 1, 1995 (60 FR 45948):

**§ 63.753 [Corrected]**

1. Paragraph (a)(1) of § 63.753 on page 45979, column 1, should read as follows:

\* \* \* \* \*

(a)(1) Except as provided in paragraphs (a)(2) and (a)(3) of this section, each owner or operator subject to this subpart shall fulfill the requirements contained in § 63.9 (a) through (e) and (h) through (j), Notification requirements, and § 63.10 (a), (b), (d) and (f), Recordkeeping and reporting requirements, of the General Provisions, 40 CFR part 63, subpart A, except that the initial notification requirements for new or reconstructed affected sources in § 63.9(b) (3) through (5) shall not apply. In addition to the requirements of § 63.9(h), the notification of compliance status shall include:

(i) Information detailing whether the source has operated within the specified ranges of its designated operating parameters.

(ii) For each coating line, where averaging will be used along with the types of quantities of coatings the facility expects to use in the first year of operation. Averaging scheme shall be approved by the Administrator or delegated State authority and shall be included as part of the facility's title V or part 70 permit.

(2) The initial notification for existing sources, required in § 63.9(b)(2) shall be submitted no later than September 1, 1997. For the purpose of this subpart, a title V or part 70 permit application may be used in lieu of the initial notification required under § 63.9(b)(2), provided the same information is contained in the permit application as required by § 63.9(b)(2), and the State to which the permit application has been submitted has an approved operating permit program under part 70 of this chapter and has received delegation of authority from the EPA. Permit applications shall be submitted by the same due dates as

those specified for the initial notifications.

\* \* \* \* \*

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**40 CFR Parts 262, 264, 265, and 270**

[IL-64-2-5807; FRL-5407-2]

**Hazardous Waste Treatment, Storage, and Disposal Facilities and Hazardous Waste Generators; Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers**

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

**ACTION:** Final rule; technical amendment.

**SUMMARY:** Under the authority of the Resource Conservation and Recovery Act (RCRA), as amended, the EPA has published air standards to reduce organic emissions from hazardous waste management activities (59 FR 62896, December 6, 1994). The air standards apply to owners and operators of hazardous waste treatment, storage, and disposal facilities (TSDF) subject to RCRA subtitle C permitting requirements and to certain hazardous waste generators accumulating waste in on-site tanks and containers. This action makes clarifying amendments in the regulatory text of the final standards, corrects typographical and grammatical errors, and clarifies certain language in the preamble to the final rule.

**EFFECTIVE DATE:** The rule provisions clarified by this action are effective as of June 6, 1996, the effective date of the final rule.

**ADDRESSES:** This notice is available on the EPA's Clean-up Information Bulletin Board (CLU-IN). To access CLU-IN with a modem of up to 28,800 baud, dial (301) 589-8366. First time users will be asked to input some initial registration information. Next, select "D" (download) from the main menu. Input the file name "RCRACLAR.ZIP" to download this notice. Follow the on-line instructions to complete the download. More information about the download procedure is located in Bulletin 104; to read this type "B 104" from the main menu. For additional help with these instructions, telephone the CLU-IN help line at (301) 589-8368.

*Docket.* The supporting information used for this rulemaking is available for public inspection and copying in the RCRA docket. The RCRA docket numbers pertaining to this rulemaking are F-91-CESP-FFFFF, F-92-CESA-FFFFF, F-94-CESF-FFFFF, F-94-