

SUPPLEMENTARY INFORMATION:

Accordingly, FR Doc. 96-30498, Revised Restrictions on Assistance to Noncitizens, published in the Federal Register on November 29, 1996 (61 FR 60535) is corrected as follows:

On page 60535, in column 3, the **DATES** section is corrected to provide that comments are due on January 28, 1997.

Dated: December 2, 1996.

Camille E. Acevedo,

Assistant General Counsel for Regulations.

[FR Doc. 96-31034 Filed 12-5-96; 8:45 am]

BILLING CODE 4210-32-P

DEPARTMENT OF TRANSPORTATION**Coast Guard****33 CFR Part 157****46 CFR Parts 31 and 35**

[CGD 91-045]

RIN 2115-AEO1

Operational Measures To Reduce Oil Spills From Existing Tank Vessels Without Double Hulls

AGENCY: Coast Guard, DOT.

AGENCY: Notice of approval.

SUMMARY: On July 30, 1996, the Coast Guard issued regulations that will require owners, masters, or operators of tank vessels of 5,000 gross tons or more that do not have double hulls and that carry oil in bulk as cargo to comply with certain operational measures. Many requirements contained in the final rule include collection-of-information provisions. This notice of approval intends to notify the public of the collection-of-information approval by the Office of Management and Budget.

DATES: This notice of approval is effective December 6, 1996. The final rule, published at 61 FR 39769, July 30, 1996, and the collection-of-information contained therein, is effective on November 27, 1996, except for §§ 157.415 and 157.420 of 33 CFR part 157, which are effective on February 1, 1997; and § 157.445 of 33 CFR part 157, which is effective on July 29, 1997. The collection-of-information contained in § 157.455(a) (5) and (6) is suspended until further notice as discussed in the partial suspension notice published on November 27, 1996 (61 FR 60189).

ADDRESSES: Unless otherwise indicated, documents referred to in this preamble are available for inspection or copying at the Office of the Executive Secretary, Marine Safety Council (G-LRA/3406)

(CGD 91-045), U.S. Coast Guard Headquarters, 2100 Second Street SW., room 3406, Washington, DC 20593-0001 between 9:30 a.m. and 2 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 267-1477.

FOR FURTHER INFORMATION CONTACT: LCDR Suzanne Englebert, Project Manager, Office of Standards Evaluation and Development, at (202) 267-1492.

SUPPLEMENTARY INFORMATION: The final rule entitled "Operation Measures to Reduce Oil Spills from Existing Tank Vessels without Double Hulls" was published on July 30, 1996, in the Federal Register (61 FR 39769). The final rule contained requirements for bridge resource management and vessel policy and procedures, enhanced survey programs, maneuvering performance capability, and other measures aimed at reducing oil discharges from single-hull vessels.

Under the Paperwork Reduction Act (44 U.S.C. 3501, *et seq.*), the Coast Guard submitted the collection-of-information requirements to the Office of Management and Budget (OMB), who reviewed the operational measures final rule to determine whether the practical value of the information is worth the burden imposed by its collection. The Office of Management and Budget approved the collection-of-information requirements contained in the final rule entitled "Operational Measures to Reduce Oil Spills from Existing Tank Vessels without Double Hulls" through August 31, 1999. The recently assigned, valid control number is 2115-0629 for the collection-of-information requirements.

Dated: December 2, 1996.

Howard L. Hime,

Acting Director of Standards.

[FR Doc. 96-31033 Filed 12-5-96; 8:45 am]

BILLING CODE 4910-14-M

POSTAL SERVICE**39 CFR Part 111**

Domestic Mail Manual; Miscellaneous Amendments

AGENCY: Postal Service.

ACTION: Final rule.

SUMMARY: This document describes the numerous amendments consolidated in the Transmittal Letter for Issue 51 of the Domestic Mail Manual, which is incorporated by reference in the Code of Federal Regulations, see 39 CFR 111.1. These amendments reflect changes in mail preparation requirements and

miscellaneous other rules and regulations.

EFFECTIVE DATE: January 1, 1997.

FOR FURTHER INFORMATION CONTACT: Neil Berger, (202) 268-2859.

SUPPLEMENTARY INFORMATION: The DMM, incorporated by reference in title 39, Code of Federal Regulations, part 111, contains the basic standards of the U.S. Postal Service governing its domestic mail services; descriptions of the mail classes and special services and conditions governing their use; and standards for rate eligibility and mail preparation. The document is amended and republished about every 6 months, with each issue sequentially numbered.

DMM Issue 51, the next edition of the DMM, is scheduled for release on January 1, 1997. That issue will contain substantive changes to mail preparation standards and mail classification for nonprofit rate categories for Periodicals and Nonprofit Standard Mail. These standards were published on August 15, 1996, in the Federal Register (61 FR 42478-42489), as approved on August 6, 1996, by the USPS to implement the Decision of the Governors of the Postal Service in Postal Rate Commission Docket No. MC96-2, Classification Reform II. Those standards took effect at 12:01 a.m., October 6, 1996, aligning the preparation rules adopted on July 1 for commercial mail with those for nonprofit mail.

The following excerpt from section I010, Summary of Changes, of the transmittal for DMM Issue 51 covers the minor changes not previously described in that final rule or in other interim or final rules published in the Federal Register. In addition, the revised contents of DMM Issue 51 are also presented.

Domestic Mail Manual Issue 51
Summary of Changes

Address Adjustments

F010.2.0 clarifies the policy for delivery and address list correction services provided to mailers who send mail to addresses converted by the USPS. Such mail is delivered to the correct locations for 1 year from the date when the converted addresses appear in the bimonthly USPS Address Information System (AIS) products. For up to 3 years after the conversion date, postmasters must provide manual galley list corrections. *Effective October 1, 1996* (PB 21929 (9-26-96)).

Automation Flats Length

C820.2.3b(2) decreases from 6 to 5³/₈ inches the required length for pieces claimed at automation rates for flats if the pieces are not more than 7¹/₂ inches

high. *Effective July 1, 1996* (PB 21922 (6-20-96)). The expiration date for this exception is extended through June 30, 1997. *Effective October 1, 1996* (PB 21929 (9-26-96)).

Bound Printed Matter

M630.2.6d shows that the ADC sortation for Bound Printed Matter is required, not optional as printed in DMM Issue 50. *Effective July 1, 1996* (PB 21923 (7-4-96)).

Carrier Route Mail—Hard Copy CRIS Files

E230.2.1 and E630.2.4 provide an option for assigning carrier route codes to nonautomation carrier route mail by using hard copy Carrier Route Information System (CRIS) files for assigning these codes within 90 days before the mailing date. Additional matching against the USPS ZIP+4 database with software certified by the Coding Accuracy Support System (CASS) is not required when this optional method is used for assigning carrier codes. *Effective October 1, 1996* (PB 21929 (9-26-96)).

Carrier Route Mail—Simplified Addressing

E140.1.4, E231.2.1 (renumbered as 230.2.1), E632.1.4 (E630.2.4), and E641.2.3 (E640.2.3) clarify that mailings prepared with a simplified address under A040 are exempt from the standard for use of CASS-certified software for carrier route coding. *Effective July 1, 1996* (PB 21923 (7-4-96)).

Collect on Delivery (COD)

S921.1.2 specifies the availability of COD service for single-piece Standard Mail (A) and for all Standard Mail (B). *Effective October 1, 1996* (PB 21929 (9-26-96)).

Content Identifier Codes

Exhibit M032.1.3c adds content identified codes and corresponding content identifier names (CINs) for Periodicals and Standard Letters. *Effective July 1, 1996; mandatory August 17, 1996* (PB 21922 (6-20-96)).

Domestic Mail Definition

G011.2.0 and S921.1.3 amend the definitions of domestic and international mail and update the places to which U.S. domestic mail service extends. *Effective July 1, 1996* (PB 21922 (6-20-96)).

Editorial Amendments

A010, A040, A920, A930, C010, C023, C100, C500, C600, C810, D010, D020, D042, D072, D100, D910, D920, E060,

E110, F010, M072, M500, P023, and S020 reflect changes that combine and renumber certain sections. Exhibits A010.1.2, A010.2.3, A010.5.1, A920.2.5, A920.2.6, C600.1.2b, C810.7.2b, P023.1.8, P023.1.11a, P023.1.11b, and P023.1.12 are removed. *Effective October 1, 1996* (PB 21928 (9-12-96)).

Express Mail—Adult Fowl

C022.3.3 and C022.3.4 permit the mailing of adult fowl by Express Mail without the condition of available next-day delivery as a requirement. *Effective October 1, 1996* (PB 21929 (9-26-96)).

Label Dimensions

M031.2.1c corrects the shortest permitted length for sack labels to 3.250 inches. M032.2.3d corrects the maximum length for barcoded sack labels to 3.375 inches. *Effective November 1, 1996* (PB 21931 (10-24-96)).

Labeling Lists

L004 includes instructions for ordering labels from the USPS Label Printing Center. *Effective July 1, 1996* (PB 21922 (6-20-96)). L002, L003, L004, L005, L102, L801, L802, and L803 reflect changes in mail processing operations. *Effective August 1, 1996; mandatory October 6, 1996* (PB 21925 (8-1-96)). L002, L003, L004, L005, L102, L604, and L801 reflect changes in mail processing operations. *Effective November 21, 1996; mandatory January 18, 1997* (PB 21933 (11-21-96)).

Marking Standards

M012.2.1, M130.1.1, M610.2.1e, M620.1.1e, M810.1.3, and M820.1.4 revise the marking standards for non-carrier route automation rate First-Class Mail and Standard Mail (A), nonautomation rate Enhanced Carrier Route Standard Mail, and all bulk rate First-Class Mail and Standard Mail (A). *Effective July 1, 1996* (PB 21922 (6-20-96)).

Metered Mail Preparation

E130.2.0, E620.1.4, and P030.5.2 remove the packaging requirement for letter-size metered mail paid at the single-piece rate for First-Class Mail or Standard Mail (A) if the mail is placed in a 1-foot or 2-foot letter tray and can fill at least three-fourths of the tray. For single-piece rate metered mail not placed in trays, five or more pieces must be faced and prepared as packages. *Effective November 1, 1996* (PB 21931 (10-24-96)).

Military Mail

E010.2.6 reflects the use of customs forms and acceptance procedures for

certain military mail. *Effective August 16, 1996* (PB 21920 (5-23-96)) and PB 21926 (8-15-96)).

Nonstandard Surcharge

C100.4.0 and E140.1.6 clarify that the surcharge for nonstandard-size mail applies to flats weighing 1 ounce or less that are mailed at First-Class automation rates and come within the range of dimensions specified in C100.4.0. *Effective October 1, 1996* (PB 21929 (9-26-96)).

Optional Package Labeling

M130.2.1a, M200.2.4c, and M610.3.1a clarify that labeling nonautomation presorted First-Class Mail, Periodicals, and Standard Mail (A) is optional for mail placed in full 5-digit trays. *Effective November 1, 1996* (PB 21931 (10-24-96)).

Overflow Tray

M033.2.1j is added to clarify that an overflow tray is permitted when the minimum number of pieces required for rate or presort eligibility is available but exceeds the capacity of a 2-foot tray. *Effective July 1, 1996* (PB 21923 (7-4-96)).

Pallets and Manifesting

M013.1.0, M014.2.0, M031.4.0, M031.5.0, M033.1.0, M033.2.0, M041.1.0, M041.3.0, M041.5.0, M041.6.0, M045.4.0, M045.5.0, M630.2.0, M630.3.0, P710.2.0, P710.3.0, and P710.4.0 clarify and correct standards for palletized and manifested mail. *Effective October 1, 1996* (PB 21928 (9-12-96)).

Parcel Restrictions

D100.2.1 and D100.2.3 are revised and D100.2.6 is added to restrict the mailing of single-piece rate Priority Mail parcels weighing 16 ounces or more that are paid with adhesive stamps. E010.1.7 is added to reflect restrictions on the mailing of all single-piece rate packages weighing 16 ounces or more that are addressed to overseas military installations, regardless of postage payment method. The affected military mail is single-piece rate Parcel Post, Bound Printed Matter, and Special Standard Mail; single-piece rate Priority Mail; and all Library Mail. The classes and subclasses of mail affected by D100.2.6 and E010.1.7 must be presented at a post office or handed to a USPS delivery employee known to the employee and at the sender's residence or place of business. *Effective August 16, 1996* (PB 21930 (10-10-96)).

Periodicals—Additional Entry

D210.2.2 (redesignated as D210.2.0), D210.4.0, D230.1.0, D230.2.0, D230.3.2, D230.3.5, D230.4.2, D230.4.3, D230.4.4, D230.4.7, P200.3.0, P750.1.0, P750.2.4, and P750.2.6 amend the additional entry standards for Periodicals. *Effective August 1, 1996* (PB 21925 (8-1-96)).

Periodicals—Enclosures

E070.3.2c is removed from E070.3.2 to reconcile the standards in that section with DMM C200.3.0 for the dimension of enclosures inserted in Periodicals publications. *Effective August 1, 1996* (PB 21925 (8-1-96)).

Periodicals—In-County Rates

E212.2.0, E270.1.0, and E270.4.0, clarify the advertising standards for publications of institutions and societies and the eligibility standards for In-County and Nonprofit Preferred periodicals. *Effective October 1, 1996* (PB 21928 (9-12-96)).

Periodicals—Original Entry

E213.1.7 removes the requirement to submit two copies each of at least four issues of a publication distributed primarily through news agents. *Effective October 1, 1996* (PB 21928 (9-12-96)).

Periodicals—Previous Issues

P200.1.8 clarifies how to determine the advertising percentage for a mailing consisting in whole or in part of copies of back issues. The advertising and nonadvertising percentages of the edition making up the bulk of the current issue are to be used for all copies in the combined mailing. *Effective November 1, 1996* (PB 21930 (10-10-96)).

Periodicals—Sacking

M200.1.4 clarifies that the exception for preparing packages with fewer than six pieces and sacks with as few as one package is an option available only for nonletter-size mail. *Effective November 1, 1996* (PB 21931 (10-24-96)).

Plants and Animals

C022.6.0 and C022.7.0 clarify and add provisions about certain statutes (39 U.S.C. 3015 and 18 U.S.C. 1716D) on nonmailable plants, plant products, and plant pests; injurious animals; and illegally taken fish, wildlife, and plants. D500.1.0, P014.2.0, P014.5.0, and S500.2.0 clarify that an Express Mail postage refund is not made for a proper detention of mail for law enforcement purposes. *Effective October 1, 1996* (PB 21929 (9-26-96)).

Reply Pieces

C810.8.1, E140.1.5, E241.1.2 (renumbered as E240.1.2), (E641.1.2) (E640.1.2), and (E641.2.4 (E640.2.4) clarify that the standards for letter-size cards and letters enclosed in automation rate mail apply only if those reply pieces are returned to a domestic address. *Effective July 1, 1996* (PB 21923 (7-4-96)).

Scheme Designation

M810.2.3c and M810.3.2a clarify that "SCHEME" is replaced on Line 2 of tray labels with the information shown for the destination in L002, Column B. *Effective July 1, 1996* (PB 21923 (7-4-96)).

Sharps

C023.10.0 adds the terms *etiologic agents and sharps* to the heading of C023.10.0, which provides standards for mailable medical and biological matter. *Effective October 1, 1996* (PB 21929 (9-26-96) and PB 21930 (10-10-96)).

Sortation Levels

M011.1.2h clarifies that the presort term *origin 3-digit(s)* can include as an option the 3-digit ZIP Code area where the mail is entered but not necessarily verified. M011.1.2i clarifies that mail prepared on pallets as an SCF sort may include mail for only a single 3-digit ZIP Code area for the SCF and still be considered an SCF sort. *Effective November 1, 1996* (PB 21931 (10-24-96)).

Upgradable Mail

M011.1.4, M130.3.1, M130.3.2a, M610.4.1, M610.4.2a clarify that upgradable letter-size pieces prepared under the applicable option for First-Class Mail or Standard Mail (A) may not be combined (sorted) with nonupgradable pieces or automation rate pieces in the same mailing. *Effective October 1, 1996* (PB 21929 (9-26-96)).

Zebra Code

M033.1.4 permits mailers to print the zebra code either as a series of vertical marks or as a series of diagonal marks. The zebra code is required on all barcoded tray labels used for trays that contain automation rate mail. *Effective November 1, 1996* (PB 21931 (10-24-96)).

List of Subjects in 39 CFR Part 111

Postal Service.

In consideration of the foregoing, 39 CFR part 111 is amended as set forth below:

PART 111—[AMENDED]

1. The authority citation for 39 CFR part 111 continues to read as follows:

Authority: 5 U.S.C. 552(a); 39 U.S.C. 101, 401, 403, 404, 3001-3011, 3201-3219, 3403-3406, 3621, 3626, 5001.

2. The table at the end of § 111.3(e) is amended by adding at the end thereof a new entry to read as follows:

§ 111.3 Amendments to the Domestic Mail Manual.

Transmittal letter for issue	Dated	Federal Register publication
51	January 1, 1997.	61 FR [IN-SERT PAGE NUMBER]

3. Section 111.5 is revised to read as follows:

§ 111.5 Contents of the Domestic Mail Manual.

- A000 Basic Addressing
- A010 General Addressing Standards
- A040 Alternative Addressing Formats
- A060 Detached Address Labels (DALs)
- A800 Addressing for Automation
- A900 Customer Support
- A910 Mailing List Services
- A920 Addressing Sequencing Services
- A930 Other Services
- A950 Coding Accuracy Support System (CASS)
- C000 General Information
- C010 General Mailability Standards
- C020 Restricted or Nonmailable Articles and Substances
 - C021 Articles and Substances Generally
 - C022 Perishables
 - C023 Hazardous Matter
 - C024 Other Restricted or Nonmailable Matter
- C030 Nonmailable Written, Printed, and Graphic Matter
 - C031 Written, Printed, and Graphic Matter Generally
 - C032 Sexually Oriented Advertisements
 - C033 Pandering Advertisements
- C050 Mail Processing Categories
- C100 First-Class Mail
- C200 Periodicals
- C500 Express Mail
- C600 Standard Mail
- C800 Automation-Compatible Mail
- C810 Letters and Cards
- C820 Flats
- C830 OCR Standards
- C840 Barcoding Standards

D000 Basic Information	F030 Address Correction, Address Change, and Return Services	M620 Enhanced Carrier Route Standard Mail
D010 Pickup Service		M630 Standard Mail (B)
D020 Plant Load	G000 The USPS and Mailing Standards	M800 All Automation Mail
D030 Recall of Mail	G010 Basic Business Information	M810 Letter-Size Mail
D040 Delivery of Mail	G011 Post Offices and Postal Services	M820 Flat-Size Mail
D041 Customer Mail Receptacles	G013 Trademarks and Copyrights	
D042 Conditions of Delivery	G020 Mailing Standards	P000 Basic Information
D070 Drop Shipment	G030 Postal Zones	P010 General Standards
D071 Express Mail and Priority Mail	G040 Information Resources	P011 Payment
D072 Metered Mail	G041 Postal Business Centers	P012 Documentation
D100 First-Class Mail	G042 Rates and Classification Service Centers	P013 Rate Application and Computation
D200 Periodicals	G043 Address List for Correspondence	P014 Refunds and Exchanges
D210 Basic Information	G090 Experimental Classifications and Rates	P020 Postage Stamps and Stationery
D230 Additional Entry	G091 Barcoded Small Parcels	P021 Stamped Stationery
D500 Express Mail	G900 Philatelic Services	P022 Adhesive Stamps
D600 Standard Mail		P023 Precanceled Stamps
D900 Other Delivery Services	L000 General Use	P030 Postage Meters and Meter Stamps
D910 Post Office Box Service	L002 3-Digit ZIP Code Prefix Matrix	P040 Permit Imprints
D920 Caller Service	L003 3-Digit ZIP Code Prefix Groups for 3-Digit Scheme Sortation	P070 Mixed Classes
D930 General Delivery and Firm Holdout	L004 3-Digit ZIP Code Prefix Groups for ADC Sortation	P100 First-Class Mail
E000 Special Eligibility Standards	L005 3-Digit ZIP Code Prefix Groups for SCF Sortation	P200 Periodicals
E010 Overseas Military Mail	L100 First-Class Mail	P500 Express Mail
E020 Department of State Mail	L102 ADCs—Presorted Priority Mail	P600 Standard Mail
E030 Mail Sent by U.S. Armed Forces		P700 Special Postage Payment Systems
E040 Free Matter for the Blind and Other Handicapped Persons	L600 Standard Mail	P710 Manifest Mailing System (MMS)
E050 Official Mail (Franked)	L601 BMCs—Machinable Parcels	P720 Optional Procedure (OP) Mailing System
E060 Official Mail (Penalty)	L602 BMCs—DBMC Rates	P730 Alternate Mailing Systems (AMS)
E070 Mixed Classes	L603 ADCs—Irregular Parcels	P750 Plant-Verified Drop Shipment (PVDS)
E080 Absentee Balloting Materials	L604 Originating ADCs—Irregular Parcels	P760 First-Class or Standard Mail Mailings With Different Payment Methods
E100 First-Class Mail	L800 Automation Rate Mailings	R000 Stamps and Stationery
E110 Basic Standards	L801 AADCs—Letter-Size Mailings	R100 First-Class Mail
E120 Priority Mail	L802 BMC/ASF Entry—Periodicals and Standard Mail (A)	R200 Periodicals
E130 Nonautomation Rates	L803 Non-BMC/ASF Entry—Periodicals and Standard Mail (A)	R500 Express Mail
E140 Automation Rates		R600 Standard Mail
E200 Periodicals	M000 General Preparation Standards	R900 Services
E210 Basic Standards	M010 Mailpieces	S000 Miscellaneous Services
E211 All Periodicals	M011 Basic Standards	S010 Indemnity Claims
E212 Qualification Categories	M012 Markings and Endorsements	S020 Money Orders and Other Services
E213 Periodicals Mailing Privileges	M013 Optional Endorsement Lines	S070 Mixed Classes
E214 Reentry	M014 Carrier Route Information Lines	S500 Special Services for Express Mail
E215 Copies Not Paid or Requested by Addressee	M020 Packages and Bundles	S900 Special Postal Services
E216 Publisher Records	M030 Containers	S910 Security and Accountability
E230 Nonautomation Rates	M031 Labels	S911 Registered Mail
E240 Automation Rates	M032 Barcoded Labels	S912 Certified Mail
E250 Destination Entry	M033 Sacks and Trays	S913 Insured Mail
E270 Preferred Periodicals	M040 Pallets	S914 Certificate of Mailing
E500 Express Mail	M041 General Standards	S915 Return Receipt
E600 Standard Mail	M045 Palletized Mailings	S916 Restricted Delivery
E610 Basic Standards	M050 Delivery Sequence	S917 Return Receipt for Merchandise
E611 All Standard Mail	M070 Mixed Classes	S920 Convenience
E612 Additional Standards for Standard Mail (A)	M071 Basic Information	S921 Collect on Delivery (COD) Mail
E613 Additional Standards for Standard Mail (B)	M072 Express Mail and Priority Mail Drop Shipment	S922 Business Reply Mail (BRM)
E620 Nonautomation Nonpresort Rates	M073 Combined Mailings of Standard Mail Machinable Parcels	S923 Merchandise Return Service
E630 Nonautomation Presort Rates	M074 Plant Load Mailings	S930 Handling
E640 Automation Rates	M100 First-Class Mail (Nonautomation)	I000 Information
E650 Destination Entry	M120 Priority Mail	I010 Summary of Changes
E651 Regular, Nonprofit, and Enhanced Carrier Route Standard Mail	M130 Presorted First-Class Mail	I020 References
E652 Parcel Post	M200 Periodicals (Nonautomation)	1021 Forms Glossary
E670 Nonprofit Standard Mail	M500 Express Mail	
F000 Basic Services	M600 Standard Mail (Nonautomation)	
F010 Basic Information	M610 Single-Piece and Nonautomation Standard Mail (A)	
F020 Forwarding		

1022 Subject Index
 Stanley F. Mires,
Chief Counsel, Legislative.
 [FR Doc. 96-31116 Filed 12-5-96; 8:45 am]
 BILLING CODE 7710-12-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 70

[AD-FRL-5657-5]

Clean Air Act Final Interim Approval of Operating Permits Program, State of Idaho; Clean Air Act Proposed Delegation of National Emission Standards for Hazardous Air Pollutants as They Apply to Title V Sources and Approval of Streamlined Mechanism for Future Delegations, State of Idaho

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final interim approval and delegation.

SUMMARY: EPA is promulgating final interim approval of the Operating Permits Program submitted by the Idaho Division of Environmental Quality (IDEQ) for the purpose of complying with Federal requirements for an approvable State program to issue operating permits to all major stationary sources and to certain other sources. EPA is also promulgating final interim approval of IDEQ's request for delegation of authority to implement and enforce State-adopted hazardous air pollutant regulations, which adopt by reference the Federal National Emission Standards for Hazardous Air Pollutants (NESHAP) contained within 40 CFR parts 61 and 63 as in effect on April 1, 1994, as these regulations apply to sources that are required to obtain a Federal operating permit. EPA is also approving a mechanism for Idaho to receive delegation of future NESHAP standards that the State adopts by reference into State law.

EFFECTIVE DATE: January 6, 1997.

ADDRESSES: Copies of the State's submittal and other supporting information used in developing the final interim approval are available for inspection during normal business hours at the following location: U.S. Environmental Protection Agency, Region 10, 1200 Sixth Avenue, Seattle, Washington.

FOR FURTHER INFORMATION CONTACT: Elizabeth Waddell, 1200 Sixth Avenue, OAQ-107, Seattle, WA 98101, (206) 553-4303.

SUPPLEMENTARY INFORMATION:

I. Background and Purpose

A. Introduction

1. Title V

Title V of the 1990 Clean Air Act Amendments (sections 501-507 of the Clean Air Act ("the Act")), and implementing regulations at 40 Code of Federal Regulations (CFR) Part 70 require that States develop and submit operating permits programs to EPA by November 15, 1993, and that EPA act to approve or disapprove each program within 1 year after receiving the submittal. The EPA's program review occurs pursuant to section 502 of the Act and the part 70 regulations, which together outline criteria for approval or disapproval. Where a program substantially, but not fully, meets the requirements of part 70, EPA may grant the program interim approval for a period of up to 2 years. If EPA has not fully approved a program by 2 years after the November 15, 1993, date, or by the end of an interim program, it must establish and implement a Federal program.

On October 27, 1995, EPA proposed disapproval of Idaho's title V operating permits program because of deficiencies in the State's provisions for excess emissions and administrative amendments. In the alternative, EPA proposed interim approval of Idaho's program provided Idaho revised its regulations to address these deficiencies and submitted the revisions to EPA before final action on Idaho's submittal. See 60 FR 54990. EPA received a single letter of public comment which addressed sources located on Tribal lands and Idaho's insignificant activities list. On January 12, 1996, Idaho submitted program revisions addressing EPA's two proposed grounds for disapproving Idaho's program.

On June 17, 1996, EPA repropoed action on two aspects of Idaho's title V program. 61 FR 30570. First, EPA proposed that one of the four deficiencies EPA initially noted in the October 27, 1996, Federal Register in Idaho's general permitting regulations be eliminated as an interim approval issue. 61 FR 30571. Second, EPA identified additional reasons it believed that the audit immunity provisions of the Idaho Environmental Audit Protection Act¹, Idaho Code 9-801 to 9-

¹In the October 27, 1995, and June 17, 1996, Federal Register notices, EPA referred to the legislation as the "Idaho Environmental Audit Statute." The comments submitted by IDEQ and the Idaho Attorney General refer to the legislation as the "Idaho Environmental Audit Protection Act,"

811, required interim rather than full approval and proposed that Idaho also be required to revise or address the audit privilege provisions of the Idaho Audit Act as a condition of full approval. 61 FR 30571-30573. EPA did not address the single comment it received on the October 27, 1995, proposal or the effect of the State's revisions to its title V program on the two disapproval issues because neither the comment nor the State's program revisions involved the two title V issues on which EPA repropoed action in the June 17, 1996, Federal Register document.

2. Section 112

Section 112(l) of the Clean Air Act authorizes EPA to approve State air toxic programs or rules that operate in place of the Federal air toxic program or rules. The Federal air toxic program implements the requirements found in section 112 of the Act pertaining to the regulation of hazardous air pollutants. Approval of an air toxic program is granted by EPA if the Agency finds that: (1) The State program is "no less stringent" than the corresponding Federal program or rule, (2) the State has adequate authority and resources to implement the program, (3) the schedule for implementation and compliance is sufficiently expeditious, and (4) the program is otherwise in compliance with Federal guidance. Once approval is granted, the air toxic program can be implemented and enforced by State or local agencies, as well as EPA.

On September 15, 1995, Idaho requested delegation of authority to implement and enforce specific NESHAP regulations in 40 CFR parts 61 and 63 that Idaho had adopted as a matter of Idaho law on April 1, 1994. On December 14, 1995, Idaho also requested approval of its mechanism for receiving automatic delegation of future NESHAP standards as promulgated. In the June 17, 1996, limited repropoal on Idaho's title V submittal, EPA also proposed interim approval of Idaho's request for delegation under section 112(l) and requested public comment on this action. Additionally, EPA proposed approval of a mechanism for Idaho to receive delegation of the NESHAP standard which the State may adopt by reference into State law in the future. See 61 FR 30570.

Idaho received numerous comments on the June 17, 1996, repropoal, all addressing Idaho's title V submittal and all except for one addressing the Idaho

shortened to the "Idaho Audit Act." EPA will refer to this legislation by the latter title in this notice.