

Damage Assessment Model for Coastal and Marine Environments (NRDAM/CME), Version 2.4, developed by the Department of the Interior. Using the NRDAM/CME Version 2.4 and the information contained in this document, trustees will have a simplified, cost-effective tool to use in estimating expected impacts of most incidents involving oil. This information also can be used to evaluate the possible development of a simplified method, such as a compensation formula, that could be developed through the use of the NRDAM/CME Version 2.4.

NOAA plans to have these documents available on the Internet at <http://www.darcnw.noaa.gov/opa.htm> and on CD-ROM by the end of the calendar year. NOAA would appreciate any suggestion on how these documents could be made more practical and useful in the future. Persons wishing to make any suggestions are referred to the address at the front of this Notice.

Dated: November 7, 1996.

Terry D. Garcia,
General Counsel.

[FR Doc. 96-29047 Filed 11-12-96; 8:45 am]

BILLING CODE 3510-12-M

DEPARTMENT OF DEFENSE

Department of the Army

32 CFR Part 644

Real Estate Handbook

AGENCY: U.S. Army Corps of Engineers, DoD.

ACTION: Final rule.

SUMMARY: The Corps of Engineers has rescinded Subpart E—Homeowners Assistance Program. The Homeowners Assistance Program has undergone substantial revision in the last few years since the enactment of Appendix E, Defense Authorization Amendments and Base Closure and Realignment Act of 1988 (Public Law 100-526). As published, subpart E bears no resemblance to the internal Engineer Regulation (ER) 405-1-12, Chapter 7. It is anticipated that ER 405-1-12 will continue to be revised as needed to better serve the interests of applicants under the program. Copies of ER 405-1-12 may be obtained by contacting any Corps of Engineers District office having responsibility for the Homeowners Assistance Program.

EFFECTIVE DATES: November 13, 1996.

ADDRESSES: HQUSACE, ATTN: CERE-RP, Washington, DC 20314-1000.

FOR FURTHER INFORMATION CONTACT: Mr. John F. Downey at (202) 761-8987.

SUPPLEMENTARY INFORMATION: Pursuant to its authorities in section 1013 of Public Law 89-754, as amended and DoD Directive 4165.50, The Corps removes and reserves 32 CFR, Part 644, Subpart E.

Economic Assessment and Certification

This deletion is issued with respect to the administration of the Homeowners Assistance Program. There will be no negative impacts on potential applicants to the Homeowners Assistance Program and no impacts on small businesses or governments in the areas of the approved programs.

I hereby certify the deletion of this subpart will have no significant impact on a substantial number of small entities.

List of Subjects in 32 CFR Part 644

Administrative practice and procedure, Government employees, and Military personnel.

Accordingly, part 644 of title 32 Code of Federal Regulations is amended as set forth below:

PART 644—[AMENDED]

1. The authority citation for part 644 continues to read as follows:

Authority: 5 U.S.C. 301; 10 U.S.C. 3012, unless otherwise noted.

Subpart E—[Removed and Reserved]

2. Subpart E, consisting of §§ 644.181 through 644.242, is removed and reserved.

Gregory D. Showalter,

Army Federal Register Liaison Officer.

[FR Doc. 96-28990 Filed 11-12-96; 8:45 am]

BILLING CODE 3710-92-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA 079-3-002; FRL-5640-2]

Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, Mojave Desert Air Quality Management 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 October 31, 1995. The revisions concern new source review (NSR) rules from the Mojave Desert Air Quality Management District

(MDAQMD or the District). This approval action will incorporate these rules into the federally approved SIP. The intended effect of approving these rules is to regulate air pollution in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). The rules control emissions of air pollutants from new and modified stationary sources. 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 action is effective on December 13, 1996.

ADDRESSES: Copies of the submitted rules and EPA's evaluation report 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:

New Source Section (A-5-1), 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.

Mojave Desert AQMD, 15428 Civic Drive, suite 200, Victorville, CA 92932.

Air Resources Board, 2020 L Street, Sacramento, CA 95814.

FOR FURTHER INFORMATION CONTACT:

Steve Ringer, Permits Office, Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105, Telephone: (415) 744-1260.

SUPPLEMENTARY INFORMATION:

Background

On October 31, 1995 at 60 FR 55355, EPA proposed to approve MDAQMD rules 1301-1308, and 1310-1312 into the California SIP, contingent upon the District's adoption (and submittal as a SIP revision) of corrections to a number of deficiencies in the rules. On March 25, 1996, MDAQMD adopted the following rules as the corrections required in the October 1995 proposed approval: MDAQMD Rule 1300, General; MDAQMD Rule 1301, Definitions; MDAQMD Rule 1302, Procedure; MDAQMD Rule 1303, Requirements; MDAQMD Rule 1304, Emissions Calculations; MDAQMD Rule 1305, Emission Offsets; MDAQMD Rule 1306, Electric Energy Generating Facilities. On March 25, 1996,

MDAQMD also rescinded rules 1307–1313 and incorporated the substantive provisions of those rules into rules 1300–1306. Rules 1300–1306 (adopted) and rules 1307–1313 (rescinded) were submitted by the California Air Resources Board to EPA on July 23, 1996, as an amendment to the SIP (rules 1300–1306, as submitted on July 23, 1996, will hereafter be referred to as “the submitted rules”). In the technical support document (TSD) that EPA prepared for the October 1995 proposed approval, EPA discussed the consolidation of the substantive portions of rules 1307–1313 into rules 1300–1306, and the manner in which rules 1300–1306 would, upon consolidation, contain all of the necessary NSR elements and make all of the corrections necessary for final SIP approval.

EPA has evaluated the submitted rules to ensure that these rules contain the changes that were listed as contingencies for final approval in the October 1995 proposed approval. The submitted rules contain the changes necessary for approval, in a manner that is identical to that described in the TSD for the proposed approval. Because the submitted rules meet the contingencies for final approval, EPA is now promulgating final approval of rules 1300–1306, as submitted on July 23, 1996. EPA is also rescinding the proposed approval of rules 1307, 1308, 1310, 1311, and 1312, because the substantive portions of these rules have been consolidated in the submitted rules.

For a detailed description of how the submitted rules contain the changes that were listed as contingencies for final approval in the October 1995 proposed approval, please see the TSD for the proposed approval. The TSD for the proposed approval is available at EPA's Region IX office at the location listed under the Addresses section of this Federal Register document.

EPA has also evaluated the submitted rules for consistency with the requirements of sections 172 and 173 of the CAA and EPA's NSR regulations at 40 CFR 51.160 through 51.165. EPA has found that the rules meet the applicable EPA requirements. A detailed discussion of the rule provisions and evaluations has been provided in the TSD for the proposed approval.

Response to Public Comments

A 30-day public comment period was published in the Federal Register on October 31, 1995 at 60 FR 55355. EPA received no comments on the proposed approval of these rules.

EPA Action

EPA is finalizing action to approve rules 1300–1306 as described above for inclusion into the California SIP, and to rescind the proposed approval of rules 1307, 1308, and 1310–1312, as described above. 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 the submitted rules into the federally approved SIP. The intended effect of approving these rules is to regulate emissions of air pollution 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 SIP 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 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.

Under 5 U.S.C. 801(a)(1)(A) as added by the Small Business Regulatory Enforcement Fairness Act of 1996, EPA submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives and the Comptroller

General of the General Accounting Office prior to publication of the rule in today's Federal Register. This rule is not a “major rule” as defined by 5 U.S.C. 804(2).

This action has been classified as a Table 3 action for signature by the Regional Administrator under the procedures published in the Federal Register on January 19, 1989 (54 FR 2214–2225), as revised by a July 10, 1995, memorandum from Mary Nichols, Assistant Administrator for Air and Radiation. The Office of Management and Budget (OMB) has exempted this regulatory action from Executive Order 12866 review.

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: September 16, 1996.

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 F—California

2. Section 52.220 is amended by adding paragraph (c)(239) to read as follows:

§ 52.220 Identification of plan.

* * * * *

(c) * * *

(239) New and amended regulations for the following APCDs were submitted on July 23, 1996, by the Governor's designee:

(i) Incorporation by reference.

(A) Mojave Desert Air Quality Management District.

(1) Rules 1300–1306, adopted on March 25, 1996.

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[FR Doc. 96–28477 Filed 11–12–96; 8:45 am]

BILLING CODE 6560–50-P