ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[IN67–1a; FRL–5827–5]

Approval and Promulgation of Implementation Plans; Indiana

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: On August 26, 1996, the State of Indiana submitted rule 326 IAC 10–1 as a requested revision to the State Implementation Plan (SIP) for ozone. This rule requires oxides of nitrogen (NO_X) Reasonably Available Control Technology (RACT) for portland cement kilns, electric utility boilers, and industrial, commercial, or institutional (ICI) boilers in Clark and Floyd Counties. In addition, on April 30, 1997, Indiana submitted a negative declaration certifying that, to the best of the State's knowledge, there are no remaining major sources of NO_X in Clark and Floyd Counties which need RACT rules. NO_X emissions are a precursor of ground-level ozone, an air pollutant which can cause inflammation of lung tissue and decrease lung function. NO_X emissions also contribute to acid rain, eutrophication of estuaries, and the formation of secondary nitrate particulate matter. Indiana expects this NO_X RACT SIP revision will reduce NO_X emissions by 44 percent (%), or 6352 tons per year, in Clark and Floyd Counties. In this action, EPA is approving the NO_X RACT rule and negative declaration as revisions to the SIP through a ''direct final'' rulemaking; the rationale for this approval is set forth below.

DATES: This action is effective August 4, 1997 unless adverse comments are received by July 3, 1997. If the effective date is delayed, timely notice will be published in the **Federal Register**.

ADDRESSES: Written comments can be mailed to: J. Elmer Bortzer, Chief, Regulation Development Section, Air Programs Branch (AR–18J), Air and Radiation Division, U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois, 60604.

Copies of the SIP revision request and EPA's analysis (Technical Support Document) are available for inspection at the following address: (It is recommended that you telephone Mark J. Palermo at (312) 886–6082, before visiting the Region 5 office.) U.S. Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois, 60604.

FOR FURTHER INFORMATION CONTACT: Mark J. Palermo, Environmental Protection Specialist, at (312) 886–6082.

SUPPLEMENTARY INFORMATION:

I. Background

On November 15, 1990, the Clean Air Act Amendments of 1990 (Act) were enacted. Pub. L. 101–549, 104 Stat. 2399, codified at 42 U.S.C. 7401–7671q. Section 182(f) of the Act requires States to apply the same requirements to major stationary sources of NO_X as are applied to major stationary sources of volatile organic compounds (VOC), unless the EPA determines that, for a given ozone nonattainment area, reductions in NO_X would not contribute to the area's attainment of the National Ambient Air Quality Standards (NAAQS) for ozone. Under section 182(b)(2), major stationary sources of VOC in areas designated moderate ozone nonattainment and above are required to adopt and implement Reasonably Available Control Technology (RACT) regulations. Therefore, areas subject to section 182(f) requirements must adopt RACT regulations for major sources of NO_X, unless a waiver pursuant to section 182(f) has been approved.

In Indiana, two areas are classified as moderate ozone nonattainment and above: the Lake and Porter Counties portion of the Chicago severe ozone nonattainment area, and the Clark and Floyd Counties portion of the Louisville moderate ozone nonattainment area. On January 26, 1996, EPA exempted Lake and Porter Counties from section 182(f) RACT requirements because the State adequately demonstrated that the area meets the Act's NO_X exemption criteria (61 FR 2428). No waiver was requested for Clark and Floyd Counties, and, therefore, these counties are subject to the section 182(f) RACT requirement.

On February 7, 1996, the Indiana Air Pollution Control Board (IAPCB) adopted rule 326 IAC 10–1 for Clark and Floyd Counties in accordance with the section 182(f) RACT requirement. Public hearings on the rule were held on November 1, 1995, and February 7, 1996, in Indianapolis, Indiana. The rule was filed with the Secretary of State on May 13, 1996, and became effective on June 12, 1996; it was published in the Indiana State Register on July 1, 1996. The Indiana Department of Environmental Management (IDEM) formally submitted the rule to EPA on August 26, 1996, as a revision to the Indiana ozone SIP. EPA made a finding of completeness of this submittal in a letter dated December 20, 1996. On April 30, 1997, Indiana submitted a negative declaration certifying that, to the best of the State's knowledge, there are no remaining major sources of NO_X in Clark and Floyd Counties which need RACT rules.

II. EPA Requirements

Under section 182(f), major stationary sources of NO_X in Clark and Floyd Counties are subject to the same requirements of section 182(b)(2) as are major stationary sources of VOC. Section 182(b)(2) requires that moderate and above ozone nonattainment areas adopt RACT regulations for VOC source categories covered by a Control Techniques Guidelines (CTG) document, or for major sources of VOC not covered by a CTG.[1] The EPA has defined RACT as the lowest emission limitation that a particular source is capable of meeting by the application of control technology that is reasonably available, considering technological and economic feasibility (44 FR 53762; September 17, 1979). CTGs are documents which provide EPA's recommendation of presumptive RACT for various source categories. EPA, however, has not issued CTGs which address NO_X sources.

On November 25, 1992, EPA published the ''NO_X Supplement to the General Preamble for Implementation of Title I of the Act'' (NO_X Supplement) which provides guidance to the States for meeting NO_X requirements under section 182(f) of the Act (57 FR 55620). Under this document, EPA has established RACT emission limits for electric utility boilers, and has specified that NO_X RACT for other source categories should be set at levels that are comparable to the RACT guidelines set for electric utility boilers.[2]

In addition to the NO_X Supplement, EPA has issued a number of Alternative Control Techniques (ACT) documents for various source categories, which, like CTGs, contain information on control technologies that can be used by the States in developing RACT regulations, but do not establish a presumptive norm for what EPA considers NO_X RACT.

III. Summary of SIP Revision

The August 26, 1996, NO_X RACT SIP submittal contains the following rules:

[1] For moderate ozone nonattainment areas, major sources are defined as sources having the potential to emit 100 or more tons per year of a given air pollutant (*See* section 302(j) of the Act).

[2] The NO_X Supplement also indicates that while EPA's RACT guidance has been largely directed at application within the VOC program, much of this guidance is also applicable to RACT for NO_X sources.

326 Indiana Administrative Code 10: Nitrogen Oxides Rules

Rule 1: Nitrogen Oxides Control in Clark and Floyd Counties.

(1) Applicability
(2) Definitions
(3) Requirements
(4) Emission limits
(5) Compliance procedures
(6) Emissions monitoring
(7) Record keeping, notification, and reporting requirements.

A summary of the rule follows. For the complete requirements of this SIP revision, interested parties should refer to 326 IAC 10–1.

Applicability

Section 1 contains the rule's criteria for applicability. The rule is applicable to any stationary source located in Clark or Floyd Counties that existed on or before the effective date of the rule (June 12, 1996) and has the potential to emit at least 100 tons per year of NO_X.[3] An affected source must apply RACT, as specified under the rule, to any facility at the source that exists on or before June 12, 1996, and has the potential to emit greater than or equal to 40 tons per year of NO_X.[4] NO_X-emitting facilities that existed on or before June 12, 1996, and are subject to NO_X control under a New Source Performance Standard (NSPS) are not subject to this rule. NO_X-emitting facilities which require a permit under 326 IAC 2, are constructed, modified, or reconstructed after June 12, 1996, and are not subject to any NSPS NO_X control requirements shall meet RACT as required by the rule or Best Available Control Technology (BACT), whichever is more stringent. It should be noted that Indiana's NO_X RACT requirements do not exempt facilities from Lowest Available Emission Rate (LAER) and other requirements under the State's New Source Review rule (326 IAC 3–1).

Control Requirements

Section 4 establishes specific control requirements for the following types of facilities at applicable sources:

(1) electric utility boilers[5] with heat input capacity greater than or equal to 250 million British thermal units (Btu) per hour;

(2) ICI boilers[6] with heat input capacity greater than or equal to 100 million Btu per hour;

(3) portland cement long dry kilns with production capacity greater than or equal to 20 tons of clinker per hour;

(4) portland dry preheat process kilns with production capacity greater than or equal to 20 tons of clinker per hour; and

(5) any other type of facility that emits or has the potential to emit NO_X greater than or equal to 40 tons per year.

Under section 4, compliance with the rule may be met through (1) specified emission limits, (2) alternative RACT requirements approved by IDEM and EPA, (3) fuel switching provisions (applicable only to boilers), (4) emissions averaging, or (5) a combination of the above.

Specified Emission Limits (Section 4(b))

Facilities complying by means of section 4(b) shall not exceed the following limits under the rule:

PORTLAND CEMENT PLANTS WITH A CLINKER PRODUCTION CAPACITY GREATER THAN OR EQUAL TO 20 TONS PER HOUR (SECTION 4(b)(1))

Portland cement kiln type	Emission limitation
Long dry kiln	10.8 pounds (lbs) NO_X per ton of clinker produced on an operating day basis, and 6.0 lbs NO_X per ton of clinker produced on a 30 day rolling average basis.[7]
Dry preheater process kiln	5.9 lbs NO_X per ton of clinker produced on an operating day basis, and 4.4 lbs NO_X per ton of clinker produced on a 30 day rolling average basis.

ELECTRIC UTILITY STEAM GENERATING UNITS WITH A HEAT INPUT CAPACITY GREATER THAN OR EQUAL TO 250 MILLION BTU PER HOUR (SECTION 4(b)(2))

Boiler type	Fuel type	Emission limitation lbs NO_X per million Btu input
Wall-fired dry bottom	Pulverized coal	0.5
Wall-fired dry bottom	Distillate oil	0.2
Wall-fired dry bottom	Residual oil	0.3
Wall-fired dry bottom	Gas	0.2

Limits shall be complied with on a 30 day rolling average basis.

[3] NO_X is defined under 326 IAC 10–1–2(15) as all oxides of nitrogen excluding nitrous oxide.

[4] ''Facility'' is defined under 326 IAC 1–2–27 as any one structure, piece of equipment, installation, or operation which emits or has the potential to emit any air contaminant. Single pieces of equipment or installations with multiple emission points are considered a single facility for the purpose of the Indiana rules.

[5] 326 IAC 10–1–2(30) defines ''electric steam generating unit'' as any facility that is constructed for the purpose of supplying more than one-third of its potential electric output capacity and more than 25 megawatts of electric output to any utility power distribution system for sale. Any steam supplied to a steam distribution system for the purpose of providing steam to a steam-electric generator that would produce electric energy for sale is also considered in determining the electric energy output capacity of the affected facility.

[6] 326 IAC 10–1–2(13) defines ''industrial, commercial, institutional steam generating unit'' as a device that combusts one or more of a combination of coal, oil, and gas and produces steam or hot water primarily to supply power, heat, or hot water to any industrial, commercial, or institutional operation, including boilers used by electric utilities that are not utility boilers.

[7] 30 day rolling average is defined under 326 IAC 10–2(29) as an emission rate calculated each operating day by averaging all the preceding 30 successive operating days average emission rates.

ICI STEAM GENERATING UNITS WITH A HEAT INPUT CAPACITY GREATER THAN OR EQUAL TO 100 MILLION BTU PER HOUR (SECTION 4(b)(3))

Boiler type	Fuel type	Emission limitation lbs NO_X per million Btu input
Wall-fired dry bottom	Pulverized coal	0.5
Tangentially fired	Pulverized coal	0.4
Spreader stoker	Pulverized coal	0.5
Overfeed stoker	Pulverized coal	0.4
Oil fired	Distillate oil	0.2
Oil fired	Residual oil	0.3
Gas fired	Gas	0.2

Limits shall be complied with on a 3 hour average basis or, if the source has a Continuous Emissions Monitor (CEM), on a 30 day rolling average basis.

For those electric utility or ICI boilers that simultaneously combust a mixture of coal, oil, or gas, the applicable emission limit shall be determined by the following equation:

E = [(A)(E1) + (B)(E2) + (C)(E3)]/(A + B + C)

E = The NO_X limit expressed as lbs NO_X per million Btu.

A = Heat input in million Btu from combustion of coal.

B = Heat input in million Btu from combustion of oil.

C = Heat input in million Btu from combustion of gas.

E1 = Applicable emission limit under this rule for combustion of coal in pounds NO_X per million Btu.

E2 = Applicable emission limit under this rule for combustion of oil in pounds NO_X per million Btu.

E3 = Applicable emission limit under this rule for combustion of gas in pounds NO_X per million Btu.

All other facilities which have the potential to emit at least 40 tons per year of NO_X shall reduce actual NO_X emissions by at least 40% (section 4(b)(5)). The 40% limit shall be complied with on a three hour basis in accordance with section 5, or, if a CEM is installed, limits shall be complied with on a 30 day rolling average basis.

Alternative RACT Requirements (Section 4(c)(1))

Under the rule, affected sources may petition for alternative control requirements based upon a demonstration that compliance with the rule's requirements are technically or economically infeasible. Alternative RACT petitions are subject to IDEM and EPA approval and must have been submitted to IDEM by December 1, 1996. It should be noted that alternative RACT requirements will only become effective upon EPA approving the requirements as a site-specific SIP revision.

Fuel Switching (Section 4(c)(2))

Electric utility and ICI boilers may comply with the rule by switching to a lower NO_X-emitting fuel between May 1 and September 30. Coal-fired boilers can switch to oil, gas, or a combination of oil and gas. Oil-fired boilers can switch to a lower NO_X-emitting oil, gas, or a combination of lower NO_X-emitting oil and gas.

The facility complying by means of fuel switching shall meet both an annual limit and a limit to be met during the fuel-switching period. The fuel-switching period limit is the boiler's applicable emission limit under section 4(b)(2) or 4(b)(3).[8] The annual limit is met by demonstrating that the boiler's actual annual fuel Btu weighted average emissions rate shall not exceed the boiler's applicable emission limit.

Owners or operators complying through fuel switching shall submit to IDEM a fuel switching plan that specifies the following information: boiler type, applicable rule limit, emission rate of and amount of heat derived from each fuel used, period of time during the year in which each fuel shall be used, and monitoring and recordkeeping procedures to be used. Compliance with the annual limit shall be demonstrated using the following equation.

EL = [(E1)(H1) + (E2)(H2) + ...]/(H1 + H2 + ...)

EL = Applicable emission limit, expressed in pounds NO_X per million Btu.

E1, E2,... = Emission rate of alternative fuels 1, 2, etc., expressed in pounds NO_X per million Btu.

H1, H2,... = Amount of heat derived from alternative fuels 1, 2, etc., expressed in million Btu per year.

Emission Averaging (Section 4(c)(3))

Another compliance option under section 4 is through emission averaging between facilities controlled by the same owner and having the same designated representative. The facilities engaging in this compliance option must demonstrate an equivalent or greater NO_X reduction than would be achieved if each facility complied with the applicable emission limit. This demonstration is to be submitted to IDEM in an emission averaging plan, using emission averaging equations and provisions under Title IV federal acid rain rules (40 CFR 76.11) as a guideline. Participating facilities shall use the same compliance averaging time as would be used to comply with the rule's specific emission limits. Boilers which simultaneously combust a mixture of coal, oil, or gas cannot use emissions averaging as a means of compliance. The emission averaging plan must be approved.

Section 4(d) provides that verification of the emission rates used for compliance with either the fuel switching or emissions averaging provisions may be required using the rule's compliance demonstration and testing procedures.

Compliance Demonstration

Under section 6, CEMs are required to be installed at electric utility boilers, ICI boilers (as described in 326 IAC 3), and portland cement kilns regulated under the rule. All other affected facilities are required to install CEMs unless the source demonstrates that CEMs are technically infeasible for one or more facilities, considering the physical configuration and mode of operation of the facility, the magnitude of and variability in NO_X emissions, and the type of control measures employed to achieve compliance.

[8] The applicable emission limit is based on the boiler's combustion type and fuel use during the ''baseline year.'' Baseline year is defined under section 2(4) of the rule as the most recent year prior to the rule's effective date, June 12, 1996, for which available data is complete, accurate, and representative of normal operations.

These CEMs are required under section 6 to meet certification, operating and maintenance procedures, and data recording and reporting procedures contained in 326 IAC 3, Indiana's air monitoring rule, and 40 CFR part 75, EPA's CEM rules, except that the excess emissions which must be reported are those emissions that exceed the applicable emission limits of this rule.

Section 5 provides the requirements for initial and subsequent compliance tests. Initial compliance shall be demonstrated either by using an EPA or IDEM certified CEM, or the test methods and procedures contained in 40 CFR part 60 and 326 IAC 3. After initial compliance is demonstrated, those sources which have installed CEMs shall thereafter demonstrate continuous compliance using the CEMs. In addition, sources with CEMs shall, upon the request of IDEM or EPA, conduct compliance tests using test methods and procedures in 326 IAC 3 and 40 CFR part 60. Affected sources which have not installed CEMs shall conduct compliance testing using test methods and procedures in 326 IAC 3 and 40 CFR part 60, upon request of IDEM or EPA.

Recordkeeping and Reporting

Under section 7 of the rule, affected sources must submit to IDEM certification of compliance from the owner or operator, emission compliance test reports, and CEM system performance evaluation reports. In addition, a source subject to the rule must notify IDEM at least 30 days prior to the addition or modification of a facility that may result in a potential increase in NO_X emissions. Any records required under this rule must be maintained for three years, and shall be submitted to IDEM or EPA within thirty days of a written request.

IV. EPA Analysis of Submittal

EPA reviewed the August 26, 1996, NO_X RACT SIP revision submittal for consistency with the Act, EPA regulations, and EPA policy. EPA finds that the rule adequately requires NO_X RACT for electric utility boilers, ICI boilers, and portland cement plants. Under EPA policy, NO_X RACT submittals can be approved where all known major NO_X sources are covered under either source-specific or source-category-specific rules, and the State submits a negative declaration that to its best knowledge, there are no remaining unregulated sources (see the November 7, 1996, EPA memorandum, ''Approval Options for Generic RACT Rules Submitted to Meet the non-CTG VOC RACT Requirement and Certain NO_X RACT Requirements''). Since there are only two known major sources of NO_X in Clark and Floyd Counties, an electric utility plant and a portland cement plant, Indiana's rule contains sufficient RACT requirements. In addition, an April 30, 1997, negative declaration has been submitted by Indiana certifying that, to the best of the State's knowledge, there are no remaining major sources of NO_X existing in Clark and Floyd Counties which need RACT rules. The EPA, therefore, finds the submittal satisfies the NO_X RACT requirements of section 182(f) of the Act for Clark and Floyd Counties. EPA is also approving the April 30, 1997, negative declaration as a revision to the SIP. A more detailed discussion of EPA's review and analysis of the submittal is contained in EPA's Technical Support Document (TSD) for this rulemaking, available from the EPA Region 5 office.

V. Final Action

The EPA is approving Indiana's NO_X RACT rule for Clark and Floyd Counties, 326 IAC 10–1, as submitted on August 26, 1996, as a revision to the ozone SIP. EPA is also approving the April 30, 1997, negative declaration.

The EPA is publishing this action without prior proposal because EPA views this as a noncontroversial revision 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 on August 4, 1997 unless, by July 3, 1997, 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 rulemaking that will withdraw the final action. All public comments received will 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 on August 4, 1997.

Nothing in this action should be construed as permitting, allowing or establishing a precedent for any future request for revision to any SIP. 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.

VI. Administrative Requirements

A. Executive Order 12866

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 D. Nichols, Assistant Administrator for Air and Radiation. The Office of Management and Budget (OMB) has exempted this regulatory action from Executive Order 12866 review.

B. 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 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.

SIP approvals under section 110 and subchapter I, part D of the Act 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, the Administrator certifies that it does not have a significant impact on any small entities affected. Moreover, due to the nature of the Federal-State relationship under the Act, preparation of a flexibility analysis would constitute Federal inquiry into the economic reasonableness of the State action. The Clean Air Act forbids EPA to base its actions concerning SIPs on such grounds. *Union Electric Co.* v. *EPA*, 427 U.S. 246, 256–66 (1976); 42 U.S.C. § 7410(a)(2).

C. Unfunded Mandates

Under section 202 of the Unfunded Mandates Reform Act of 1995, signed into law on March 22, 1995, EPA must undertake various actions in association with 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. This Federal action approves pre-existing requirements under state or local law, and imposes no new requirements. Accordingly, no additional costs to state, local, or tribal governments, or the private sector, result from this action.

D. Submission to Congress and the General Accounting Office

Under section 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 section 804(2).

E. Petitions for Judicial Review

Under section 307(b)(1) of the Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by August 4, 1997. 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)).

List of Subjects in 40 CFR Part 52

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

Authority: 42 U.S.C. 7401–7671q.

Dated: May 7, 1997.

Valdas V. Adamkus,

Regional Administrator.

For the reasons stated in the preamble, 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.

2. Section 52.770 is amended by adding paragraph (c)(120) to read as follows:

§ 52.770 Identification of Plan.

* * * * *

(c) * * *

(120) On August 26, 1996, Indiana submitted a rule requiring an oxides of nitrogen (NO_X) reasonably available control technology (RACT) rule for the Clark and Floyd Counties moderate ozone nonattainment area as a revision to the State Implementation Plan.

(i) Incorporation by reference. 326 Indiana Administrative Code 10: Nitrogen Oxides Rules. Rule 1: Nitrogen Oxides Control in Clark and Floyd Counties. Section 1: Applicability, Section 2: Definitions, Section 3: Requirements, Section 4: Emission limits, Section 5: Compliance procedures, Section 6: Emissions monitoring, and Section 7: Certification, record keeping, and reports. Adopted by the Indiana Air Pollution Control Board February 7, 1996. Filed with the Secretary of State May 13, 1996. Published at Indiana Register, Volume 19, Number 10, July 1, 1996. Effective June 12, 1996.

3. Section 52.777 is amended by adding paragraph (p) to read as follows:

§ 52.777 Control strategy: Photochemical oxidants (hydrocarbon).

* * *

(p) On August 26, 1996, Indiana submitted a rule for the purpose of meeting oxides of nitrogen (NO_X) reasonably available control technology (RACT) requirements under section 182(f) of the Clean Air Act (Act) for the Clark and Floyd Counties moderate ozone nonattainment area. The rule's NO_X control requirements meets RACT for major sources of portland cement kilns, electric utility boilers, and industrial, commercial, or institutional boilers. In addition, on April 30, 1997, Indiana certified to the satisfaction of the United States Environmental Protection Agency that, to the best of the State's knowledge, there are no remaining major sources of NO_X in Clark and Floyd Counties which need RACT rules. Indiana, therefore, has satisfied the NO_X RACT requirements under section 182(f) of the Act for the Clark and Floyd Counties ozone nonattainment area.

[FR Doc. 97–14437 Filed 6–2–97; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 63

[AD–FRL–5833–6]

National Emission Standards for Hazardous Air Pollutants; Final Standards for Hazardous Air Pollutant Emissions From Wood Furniture Manufacturing Operations; Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; correction.

SUMMARY: This action corrects errors and clarifies regulatory text in the National Emission Standards for Hazardous Air Pollutants; Final Standards for Hazardous Air Pollutant Emissions from Wood Furniture Manufacturing Operations which was promulgated in the **Federal Register** on December 7, 1995 (60 FR 62930).

EFFECTIVE DATE: June 3, 1997.

FOR FURTHER INFORMATION CONTACT: For information concerning today's notice, contact Mr. Paul Almodovar, Coatings and Consumer Products Group, Emission Standards Division (MD–13), U.S. EPA, Research Triangle Park, NC 27711; telephone (919) 541–0283. For information regarding the applicability of this action to a particular entity, contact Mr. Robert Marshall, Manufacturing Branch, Office of Compliance, (2223A), U.S. EPA, 401 M Street, SW, Washington, DC 20460; telephone (202) 564–7021.

SUPPLEMENTARY INFORMATION:

Regulated Entities. Entities potentially affected by this action are owners or operators of facilities that are engaged, either in part or in whole, in wood furniture manufacturing operations and that are major sources as defined in 40 CFR Part 63, subpart A, section 63.2. Regulated categories include:

Category	Examples of regulated entities
Industry	Facilities which are major sources of hazardous air pollutants and manufacture wood furniture or wood furniture components.

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities that the EPA is now aware potentially could be regulated by this action. Other types of entities not listed in the table could also be regulated. To determine whether your facility (company, business, organization, etc.) is regulated by this action, you should carefully examine the applicability criteria in section 63.800 of the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Wood Furniture Manufacturing Operations that was promulgated in the **Federal Register** on December 7, 1995 (60 FR 62930) and codified at 40 CFR Part 63, subpart JJ. If you have questions regarding the applicability of this action to a particular entity, consult the person listed in the preceding **FOR FURTHER INFORMATION CONTACT** section.

The information presented below is organized as follows: