

[FR Doc. 97-19901 Filed 7-28-97; 8:45 am]
BILLING CODE 3501-16-U-M

LIBRARY OF CONGRESS

Copyright Office

37 CFR Part 201

Copyright Rules and Regulations

AGENCY: Copyright Office, Library of Congress.
ACTION: Correction; technical amendments.

SUMMARY: The Copyright Office is making one correction to the non-substantive housekeeping amendments to its regulations published in the **Federal Register** July 1, 1997. The correction amends the address for the Licensing Division of the Copyright Office.

EFFECTIVE DATE: July 29, 1997.

FOR FURTHER INFORMATION CONTACT: Marilyn J. Kretsinger, Assistant General Counsel, or Patricia L. Sinn, Senior Attorney, Copyright GC/I&R, P.O. Box 70400, Southwest Station, Washington, DC 20024. Telephone: (202) 707-8380. Fax: (202) 707-8366.

SUPPLEMENTARY INFORMATION: The Copyright Office is correcting the address it published for the Office's Licensing Division in the July 1, 1997, edition of the **Federal Register**. The corrected address is effective immediately, and will appear in the Code of Federal Regulations at 37 CFR 201.1(b) as soon as possible.

List of Subjects in 37 CFR Part 201

Copyright, General Provisions.

Final Rule

Accordingly, 37 CFR Chapter II is corrected by making the following correction and amendment.

PART 201—GENERAL PROVISIONS

1. The authority citation for Part 201 continues to read as follows:

Authority: 17 U.S.C. 702, 17 U.S.C. 1003.

§ 201.1 [Amended]

2. Section 201.1(b) is amended by removing "Licensing Division, LM-454, Library of Congress, Copyright Office, 101 Independence Avenue, SE., Washington, DC 20559-6000." and adding in its place "Library of Congress, Copyright Office, Licensing Division, 101 Independence Avenue, SE., Washington, DC 20557-6400."

Dated: July 23, 1997.

Marilyn J. Kretsinger,

Assistant General Counsel.

[FR Doc. 97-19904 Filed 7-28-97; 8:45 am]

BILLING CODE 1410-30-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[MD 038-3016; FRL-5864-9]

Approval and Promulgation of Air Quality Implementation Plans; Maryland; 15% Rate of Progress Plan and Contingency Measures for the Cecil County Nonattainment Area

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is granting full approval of the State Implementation Plan (SIP) revision submitted by the State of Maryland, for Cecil County, part of the Philadelphia-Wilmington-Trenton severe ozone nonattainment area, to meet the 15 percent reasonable further progress (RFP, or 15% plan) requirements of the Clean Air Act (the Act). EPA is granting approval of the 15% plan and contingency measures, submitted by the State of Maryland, because the plan achieves the required 15% emission reduction. This action is being taken under section 110 of the Clean Air Act.

EFFECTIVE DATE: This final rule is effective on August 28, 1997.

ADDRESSES: 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; and the Maryland Department of the Environment, 2500 Broening Highway, Baltimore, Maryland 21224.

FOR FURTHER INFORMATION CONTACT: Carolyn M. Donahue, (215) 566-2095, at the EPA Region III address above. Information may also be requested via e-mail at the following address: donahue.carolyn@epamail.epa.gov.

SUPPLEMENTARY INFORMATION:

I. Background

Section 182(b)(1) of the Act requires ozone nonattainment areas classified as moderate or above to develop plans to reduce volatile organic compounds (VOC) emissions by fifteen percent from 1990 baseline levels. Cecil County, as part of the Philadelphia-Wilmington-Trenton nonattainment area, is classified as severe and is subject to the 15% plan requirement.

The State of Maryland submitted the 15% plan SIP revision for Cecil County on July 12, 1995. On June 5, 1997, EPA

published a notice of proposed rulemaking (NPR) in the **Federal Register** proposing approval of the 15% plan [62 FR 30818]. EPA's rationale for granting approval to the Maryland 15% plan for the Cecil County nonattainment area, and the details of the July 12, 1995 submittal are contained in the June 5, 1997 NPR and the accompanying technical support document and will not be restated here. No public comments were received on the NPR.

II. Final Action

EPA is today granting approval of the 15% plan and contingency measures for the Cecil County severe ozone nonattainment area as a revision to the Maryland SIP.

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.

The Office of Management and Budget (OMB) has exempted this regulatory action from E.O. 12866 review.

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 Clean Air 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 EPA 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 state action. The Clean Air Act forbids EPA to base its actions concerning SIPs on such grounds. *Union Electric Co. v. U.S.*

EPA, 427 U.S. 246, 255-66 (1976); 42 U.S.C. 7410(a)(2).

Under section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to 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 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 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 requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

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).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action, pertaining to the final approval of the 15% plan for the Cecil County nonattainment area, must be filed in the United States Court of Appeals for the appropriate circuit by September 29, 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, Ozone.

Dated: July 18, 1997.

Thomas Voltaggio,

Acting Regional Administrator, Region III.

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 V—Maryland

2. Section 52.1076 is added to read as follows:

§ 52.1076 Control strategy: ozone

EPA is approving as a revision to the Maryland State Implementation Plan the 15 Percent Rate of Progress Plan and associated contingency measures for the Cecil County ozone nonattainment area, submitted by the Secretary of the Maryland Department of the Environment on July 12, 1995.

[FR Doc. 97-19884 Filed 7-28-97; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[TN189-1-9730(b); TN194-1-9731(b); TN198-1-9732(b); FRL-5859-7]

Approval of Revisions to the Tennessee SIP Regarding Prevention of Significant Deterioration and Volatile Organic Compounds

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is approving miscellaneous revisions to the Tennessee State Implementation Plan (SIP) regarding prevention of significant deterioration (PSD) and volatile organic compounds (VOC). The revisions to the PSD regulation add an additional supplement to the EPA "Guideline on Air Quality Models." The revisions to the VOC regulation make minor changes to the regulation for the manufacture of high-density polyethylene, polypropylene and polystyrene resins and to the regulation containing test methods and compliance procedures for VOC sources.

DATES: This final rule is effective September 29, 1997, unless adverse or

critical comments are received by August 28, 1997. If the effective date is delayed, timely notice will be published in the **Federal Register**.

ADDRESSES: Written comments on this action should be addressed to William Denman at the Environmental Protection Agency, Region 4 Air Planning Branch, 61 Forsyth Street, SW, Atlanta, Georgia 30303. Copies of documents relative to this action are available for public inspection during normal business hours at the following locations. The interested persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before the visiting day. Reference files TN189-01-9730, TN194-01-9731, and TN198-01-9732. The Region 4 office may have additional background documents not available at the other locations.

Air and Radiation Docket and Information Center (Air Docket 6102), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460

Environmental Protection Agency, Region 4 Air Planning Branch, 61 Forsyth Street, SW, Atlanta, Georgia 30303. William Denman, 404/562-9030

Tennessee Department of Environment and Conservation, Division of Air Pollution Control, L & C Annex, 9th Floor, 401 Church Street, Nashville, Tennessee 37243-1531.

FOR FURTHER INFORMATION CONTACT: William Denman at 404/562-9030.

SUPPLEMENTARY INFORMATION: On August 9, 1995, EPA published a notice in the **Federal Register** (60 FR 40465), that took final action on several additions and changes to the "Guideline on Air Quality Models" in the PSD rules. These revisions were designated as supplement C to the "Guideline on Air Quality Models." On February 27, 1997, Tennessee submitted to EPA a revision to Tennessee regulation 1200-3-9 "Construction and Operating Permits" in which Tennessee added supplement C to their already adopted by reference "Guideline on Air Quality Models". Supplement C incorporates improved algorithms for treatment of area sources and dry deposition in the Industrial Source Complex model, adopts a solar radiation/delta-T (SRDT) method for estimating atmospheric stability categories, and adopts a new screening approach for assessing annual NO₂ impacts. It also adds SLAB and HGSYSTEM as alternative models.

On May 8, 1997, Tennessee submitted to EPA a revision to the Tennessee regulation for the control of VOC