

today's notice may not be challenged later in civil or criminal proceedings brought by EPA to enforce these requirements.

This notice of final rulemaking is issued under the authority of Section 110 of the Clean Air Act as amended.

Dated: October 15, 1981.

Anne M. Gorsuch,  
Administrator.

Note.—Incorporation by reference of the State Implementation Plan for the State of Iowa was approved by the Director of the Federal Register on July 1, 1981.

**PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS**

Part 52 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

**Subpart Q—Iowa**

1. Section 52.820 is amended by adding a new paragraph (c)(37) to read as follows:

§ 52.820 Identification of plan.

(c) \* \* \*

(37) A variance from 400—4.2(1) of the Iowa Administrative Code for the Iowa Army Ammunition Plant at Middletown, Iowa, was submitted on October 19, 1979 by the Executive Director.

2. Section 52.825 is amended by adding the following compliance schedules to the end of the existing list in § 52.825(c):

§ 52.825 Compliance schedules.

(c) \* \* \*

IOWA

Source	Location	Regulation Involved	Date adopted	Variance expiration date	Final compliance date
Iowa Army Ammunition Plant (explosive waste burning).	Middletown, Iowa.	400—4.2(1)	June 14, 1979	Dec. 31, 1981	Dec. 31, 1981.
Iowa Army Ammunition Plant (explosive contaminated waste burning).	Middletown, Iowa.	400—4.2(1)	June 14, 1979	Feb. 28, 1982	Feb. 1982.

[FR Doc. 81-30484 Filed 10-20-81; 8:45 am].  
BILLING CODE 6560-38-M

**40 CFR Parts 52 and 81**

[A-3-FRL-1962-3]

**Approval of Section 107 Designations and Approval of Revisions of the Pennsylvania State Implementation Plan**

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

**SUMMARY:** Allegheny County, Pennsylvania was designated nonattainment for Sulfur Dioxide (SO<sub>2</sub>) and Total Suspended Particulates (TSP) on March 3, 1978 (43 FR 8962) and September 12, 1978 (43 FR 40502). Since that time many monitors have shown compliance with National Ambient Air Quality Standards (NAAQS). Furthermore, because of the uncertainty resulting from several attempts at SO<sub>2</sub> air quality diffusion modeling other designations are being changed to unclassifiable.

On December 24, 1980, the Commonwealth of Pennsylvania submitted a revision to the Pennsylvania State Implementation Plan (SIP) which redesignates areas within Allegheny County with respect to ambient air

quality standards for total suspended particulates (TSP) and sulfur dioxide (SO<sub>2</sub>); provides for attainment of these standards in the County, and relaxes emission limitations for one major source in the County.

The Environmental Protection Agency (EPA) invited public comment on this revision in a Federal Register notice of June 10, 1981 (46 FR 30855).

This notice announces the Administrator's approval, and in part the conditional approval, of the revisions to the Pennsylvania SIP for Allegheny County.

**EFFECTIVE DATE:** November 20, 1981.

**ADDRESSES:** Copies of the SIP revision and the accompanying support documents are available for inspection during normal business hours at the following offices: U.S. Environmental Protection Agency, Air Media & Energy Branch, Curtis Building, 6th & Walnut Streets, Philadelphia, PA 19106, ATTN: Gregory Ham (3AH11); Bureau of Air Quality Control, Pennsylvania Department of Environmental Resources, Fulton Bank Building, Third and Locust Streets, Harrisburg, PA 17120, ATTN: Gary L. Triplett; Allegheny County Health Department, Bureau of Air Pollution Control, 301 Thirty-Ninth Street, Pittsburgh, PA 15201; Office of the Federal Register,

1100 L Street, N.W., Room 8401, Washington, D.C. 20408.

**FOR FURTHER INFORMATION CONTACT:** Gregory Ham (3AH11), U.S. Environmental Protection Agency, 6th & Walnut Streets, Curtis Building, Philadelphia, PA 19106, Telephone Number: 215/597-2745.

**SUPPLEMENTARY INFORMATION:** New provisions of the Clean Air Act, enacted in August 1977, Public Law No. 95-95 (42 U.S.C. 7472), required States to revise their SIPs for all areas that do not attain National Ambient Air Quality Standards (NAAQS). The amendments required each State to submit to the Administrator a list of the NAAQS attainment status for all areas within the State. The Administrator promulgated these lists on March 3, 1978 (43 FR 8962) and on September 12, 1978 (43 FR 40502).

The entire State of Pennsylvania was designated as nonattainment for ozone and various portions of the State, including Allegheny County, were designated as nonattainment for Total Suspended Particulate Matter (TSP), Sulfur Dioxide (SO<sub>2</sub>), and Carbon Monoxide (CO). As a consequence, the Commonwealth of Pennsylvania submitted State Implementation Plan (SIP) revisions for most areas designated nonattainment on April 24, 1979, and June 7, 8, 12, and 13, 1979. On July 24, 1979 (44 FR 43306), EPA proposed action on the Pennsylvania SIP and finalized its approval and conditional approval on May 20, 1980 (45 FR 33607).

For Allegheny County, the Ozone portion of the Pennsylvania State Implementation Plan was submitted to EPA on April 24, 1979 and conditionally approved by EPA on May 20, 1980 (45 FR 33607). However, for the SO<sub>2</sub> and TSP portions of the SIP for Allegheny County, work continued and several different drafts were prepared. Public hearings were held on July 30, 31 and October 23, 1979 and March 24, 25, 31, April 1, and November 12, 1980. Finally, on December 24, 1980, Clifford Jones, Secretary of the Department of Environmental Resources, submitted a redesignation request for SO<sub>2</sub> and TSP in Allegheny County and a revision to the Pennsylvania SIP providing for the attainment of the National Ambient Air Quality Standards (NAAQS) for SO<sub>2</sub> and TSP in the redesignated areas. Included as part of the SIP was an emission relaxation for Duquesne Light's Cheswick power plant, from 0.6 lbs SO<sub>2</sub>/10<sup>6</sup> Btu to 2.8 lbs SO<sub>2</sub>/10<sup>6</sup> Btu, which is now determined to be in an attainment area.

EPA has reviewed the redesignation request, the emission relaxation for Cheswick and the nonattainment SIP revision with respect to the requirements of the Clean Air Act and criteria described or referenced in the Federal Register notice published on April 4, 1979 (44 FR 20372). (The April 4, 1979 notice to which interested persons may refer is entitled "General Preamble for Proposed Rulemaking on Approval of Plan Revisions for Nonattainment Areas," and is incorporated herein by reference. This notice was further supplemented by the following Federal Register notices: July 2, 1979, 44 FR 38583, August 28, 1979, 44 FR 50371, September 17, 1979, 44 FR 53761 and November 23, 1979, 44 FR 67182).

In a Federal Register notice of June 10, 1981 (46 FR 30655), EPA proposed the approval, and in part the conditional approval, of the redesignations and the SIP revision for Allegheny County. This notice discussed the requirements for approving SIP's for nonattainment areas, described the information submitted as a basis for the redesignations and the SIP revision, identified major issues, and invited public comment on the proposed redesignations and SIP revision. Those persons wishing to see a complete description of the redesignations and revision are referred to the above-referenced notice.

Today, EPA is approving the redesignations and the SIP revision for SO<sub>2</sub>, the redesignations for TSP, and is conditionally approving the SIP revision for TSP.

#### Sulfur Dioxide

##### Redesignation

In its request for redesignation under Section 107 Allegheny County submitted information on recent SO<sub>2</sub> air quality data and reported on efforts at modeling SO<sub>2</sub> levels for the county. A summary of this information was presented in the notice of June 10, 1981.

On the basis of this recent air quality data and the inherent problems of the modeling as discussed in that notice, Allegheny County has requested a change in the SO<sub>2</sub> designations from primary nonattainment Countywide to the following:

1. Unclassified for an area within an eight-mile radius of the Duquesne Golf Association Club House excluding the Hazelwood nonattainment area.
2. Unclassified for the area within a two-mile radius of the Bellevue monitor.
3. Primary nonattainment for the area within a two-mile radius of the Hazelwood monitor.
4. Attainment for the remaining portions of the County.

EPA has reviewed the modeling demonstration and air quality data submitted by the County, and agrees with the conclusions reached. Therefore, the Administrator is today approving these Section 107 redesignations as listed above.

##### Nonattainment Plan

Allegheny County has submitted a plan providing for attainment of the primary standards for SO<sub>2</sub> by December 31, 1982. This plan indicates that there is a direct correlation between improvements in air quality and the operation of a coke oven gas desulfurization unit at the Jones and Laughlin Steel Corporation (J&L) plant in the area. A recently signed Consent Decree in part requires J&L to bring the desulfurization unit into compliance with County regulations, resulting in an overall improvement in air quality in the Hazelwood nonattainment area. (A more detailed discussion of this plan is contained in the June 10, 1981 proposed rule.)

The Administrator is today approving the County's plan for the attainment of the primary SO<sub>2</sub> standards by December 31, 1982.

In the unclassified and nonattainment areas, the County has agreed to carry out additional evaluations of ambient sulfur dioxide concentrations. Additional monitors will be established in the nonattainment and unclassified areas where data will be collected for one year. The purpose of the monitoring is to better identify air quality levels and assess the accuracy of the modeled predictions. If any of these unclassified areas are found to be nonattainment, an attainment plan must be submitted within one year of the redesignation of these areas to nonattainment. This plan must provide for attainment of the applicable National Ambient Air Quality Standards (NAAQS) within three and one-half years of the date of plan approval by EPA.

##### Regulation Changes

A relaxation of emission limitations for existing plants above 5000 × 10<sup>6</sup> Btu/hr rated heat input has been requested by the County. The limitation would change from 0.60 lbs. SO<sub>2</sub> per million Btu to 2.80 lbs. SO<sub>2</sub> per million Btu. This change affects only one plant in Allegheny County, the Duquesne Light Company's Cheswick Power Plant. Also, the limitation on sources between 0.2 and 0.5 million Btu's per hour rated heat input was found to have been unnecessary. A demonstration submitted with this request showed that the attainment status of the area will not be jeopardized by these changes. For a

further discussion of the demonstration, see the above-referenced Federal Register notice of June 10, 1981.

Another regulation change requested by the County revised the limitation for controlling emissions of SO<sub>2</sub> from the silicon carbide manufacturing process. The revised regulation requires an equivalent degree of control as the existing regulation, and specifies control requirements as applicable to the silicon carbide process to facilitate the determination of compliance.

EPA has reviewed the information submitted by the County to support the changes discussed, and is today approving these changes.

##### Total Suspended Particulates

On December 24, 1980, the Commonwealth submitted a proposed revision to the Pennsylvania SIP for the attainment of the primary and secondary NAAQS for Total Suspended Particulates (TSP) in Allegheny County. This revision consists of a request for redesignation of various areas within the County and a plan which contains: (1) an emission inventory, (2) a demonstration that Article XX is at least equivalent to Reasonably Available Control Technology (RACT), (3) a commitment to annual incremental reductions (Reasonable Further Progress), and (4) a proposal for further study of fugitive emissions which may result in the adoption of additional fugitive particulate regulations. For all those areas designated nonattainment, the plan provides for attainment of the primary standards by December 11, 1982, and the secondary standards by December 31, 1987. A detailed description of this plan was included in the Federal Register notice of June 10, 1981.

##### Section 107 Redesignation

In order to accurately assess current and future ambient particulate concentrations, the County conducted the following:

1. An exhaustive analysis of available data on air quality emissions, meteorological conditions, and monitoring sites.
2. Special studies on the origins of particulate matter.
3. An analysis of TSP emissions in the vicinity of steel plants. As a result of these analyses, the County has requested a redesignation which divides the County into seven primary nonattainment areas. The remaining areas of the County are in attainment of the primary and secondary standards. These areas are described as follows:  
Primary Nonattainment

1. Five contiguous segments (areas #3, 4, 5, 6, and 8) of a three-mile wide strip which is within a perpendicular distance two miles north and east and one mile south and west of the river center line, from the I-79 Bridge on the Ohio River to the Westmoreland County Line on the Monongahela River (area numbers are those used in a map and described in the plan).

2. An area within a 0.5 mile radius of the Greater Pittsburgh Airport monitor (area #2).

3. A one-mile wide strip centered on Turtle Creek from nonattainment area #6 (in number 1 above) to the Westmoreland County line (area #7).

#### Unclassified

1. A three-mile wide strip within Allegheny County which is within a perpendicular distance two miles north and east of the Ohio River center line and one mile south and west of the Ohio River center line from the I-79 Bridge to the Beaver County line (area #1).

#### Secondary Nonattainment

1. An area within Allegheny County within a radius of two miles of the Springdale monitor (area #9).

#### Attainment

1. All remaining areas of the County.

The County has submitted data from twenty-four monitors located throughout the County as a basis for the redesignations being approved in this notice. Data from these monitors for the years 1976 through 1980 was included in the Federal Register notice of June 10, 1981. (In that notice, the 1976 reading for Logan's Ferry was listed as  $650 \mu\text{g}/\text{m}^3$ . This was a typographical error which should have read  $60 \mu\text{g}/\text{m}^3$ ).

EPA has reviewed the information submitted with the plan as a basis for the redesignations listed above. As monitoring data was used primarily in this analysis, the review focused on the accuracy and representativeness of the data, and the scale that each monitor represented.

In general, the data used for this plan is adequate, and the siting requirements are satisfied for most monitoring sites. In addition, the three mile wide nonattainment corridor encompasses the "neighborhood" area surrounding these monitors and is of the appropriate scale.

EPA agrees with the analysis conducted by the County as a basis for these redesignations, and is today approving the designations listed above.

#### Control Strategy and Demonstration of Attainment

The plan submitted by the County as part of its proposed SIP revision for TSP included studies of existing and projected particulate levels for the

County. These studies indicate that the average annual particulate levels will decrease, but not sufficiently to attain the primary standard by December 31, 1982. Estimates have been made that between 60 and 80 percent of the projected 1982 ambient particulate levels will result from fugitive emissions if no further control strategies are implemented.

The demonstration submitted with this SIP consists of the following:

1. An exhaustive analysis of available air quality and emissions data, meteorological conditions, and monitoring sites.

2. Special studies on the origins of particulate matter.

3. Analysis of TSP emissions in the vicinity of steel plants. This approach was used because of various problems in areawide modeling of particulate concentrations. The reliability of such dispersion modeling techniques is dependent upon the detail and accuracy of information used in the modeling. Therefore, the County proposed the use of a proportional rollback model for the evaluation of control strategy alternatives, along with near-field modeling of major steel-making facilities and a sampling analysis program to determine the relative source impacts on ambient particulate levels. In addition, efforts are being made to refine the TSP emissions inventory.

The objective of the approach used by the County in analyzing ambient TSP data was to quantify the relative ambient particulate contributions from traditional and non-traditional sources, and to determine background concentrations. This analysis shows that currently point sources are contributing to ambient levels, but that by 1982 point source contributions will be relatively minor due to compliance with existing regulations. In addition, several Consent Decrees have been signed, detailing various fugitive emission controls on sources operated by the United States Steel Corporation, Shenango Incorporated and the Jones and Laughlin Corporation. Also regulations governing the control of fugitive emissions from source premises, parking lots, construction, mining, and demolition activities (sections 521, 522, 524, 525, and 526 of Article XX) in nonattainment areas have been adopted and become effective on January 31, 1982, and a regulation controlling fugitive emissions from transport activities (section 523) became effective on January 1, 1981. Despite this control, fugitive emissions (both industrial and urban) will continue to contribute to high ambient particulate levels.

Allegheny County believes that the existing traditional source regulations are, at a minimum, equivalent to reasonably available control technology (RACT). Therefore, the attainment strategy which they have proposed consists primarily of the study and control of fugitive emissions. EPA agrees that fugitive emissions are a major contributor to existing nonattainment problems. In addition, EPA agrees that the existing regulations satisfy RACT requirements. Therefore, EPA is today approving these regulations.

As part of its plan for attainment of the National Ambient Air Quality Standards (NAAQS) for particulates, the County has committed to conduct a study of non-traditional sources in the nonattainment areas. This study will consist of the following three parts:

a. Inventory of non-traditional sources.

b. Determination of non-traditional source contributions.

c. Evaluation of control program effectiveness. This study has been initiated, and implementation of fugitive regulations as a result should begin by June 30, 1982. The regulations that are finally implemented will further demonstrate attainment by December 31, 1982. A second study will begin shortly thereafter to develop and implement strategies for the attainment of the secondary standard.

In the unclassified area, TSP monitors will be installed to determine the attainment status. One year of data will be collected, at which time the need for an attainment plan will be determined. If a plan is needed, it will be submitted within one year of the redesignation of these areas to nonattainment. This plan must provide for attainment of the applicable National Ambient Air Quality Standards (NAAQS) within three and one-half years of the date of plan approval by EPA.

EPA is conditionally approving Pennsylvania's particulate control strategy for the County. The conditional approval is based on the County's commitment to conduct certain studies, to implement certain regulations and to achieve compliance by specified dates, all as outlined above.

Provisions in the County plan which satisfy the requirements for emissions inventory, growth margin, and reasonable further progress were discussed in the June 10, 1981 notice. These provisions are adequate for SIP approval.

#### General Comments

The following sections deal with comments and issues raised by EPA

during the review of the County's submittal.

#### *Offset Program for New and Modified Sources*

Allegheny County has submitted as part of its plan a New Source Review program for the permitting of new and modified sources within the County. A description of this program was presented in the June 10, 1981 notice of proposal. In addition, EPA asked the County to commit to the submittal of all external offsets to EPA as revisions to the SIP. During the comment period, the County pointed out that this commitment is included in the County regulations. EPA therefore finds this commitment to be acceptable.

#### *Bubble Regulation*

Chapter IX of the County's regulations allows for Alternative Emission Reduction Plans, commonly known as bubble plans. These allow a source operator to employ a mix of control measures on multiple sources to achieve a specified overall emission reduction, and would permit operators to place a greater burden of control on sources where the marginal cost is low. Any applications will be reviewed by the County in order to consider with EPA's policy statement as published in the Federal Register notice of December 11, 1979 (44 FR 71780). Any plan approved by the County will then be submitted as a revision to the SIP. The County pointed out in its letter of August 3, 1981, that plans approved under this regulation become effective under County law upon approval by the Allegheny County Board of Health and adoption by the Board of County Commissioners. However, because the plan becomes effective under Federal law only upon approval by EPA and inclusion of the plan in the SIP, EPA is taking no action on the bubble regulation.

#### *Review of Regulations*

Several issues were raised during EPA's review of the regulations submitted as part of the County's plan. These issues are discussed in the following paragraphs.

Under Chapter IV, Regulation 401 C, an alternative standard may be established where fugitive emissions have been controlled, where reasonably available control technology has been applied, and where the owner or operator demonstrates that the remaining fugitive emissions are of minor significance. Under County procedures, the alternative standards become effective upon approval by the Allegheny County Board of Health, and

adoption by the Board of County Commissioners. Again, EPA considers these alternative standards to be effective as Federal regulations only upon approval as a SIP revision by EPA. The County has committed to the submittal of these standards in the regulations.

EPA does not have the authority to enforce odor regulations (§ 404 of the County's regulations). Therefore, they are not being approved as part of the SIP.

Regulation 304, Delayed Compliance Orders (DCO's), allows for the issuance of DCO's to sources needing extensions of any final compliance date. The Clean Air Act specified that final compliance dates contained in a DCO cannot extend beyond July 1, 1979 or three years beyond the compliance date required by the SIP. Since the latest possible compliance date for previously regulated sources (including TSP and SO<sub>2</sub> sources) has past, only newly regulated sources of volatile organic compounds can be issued DCO's.

On January 1, 1981, Article XX replaced Article XVIII as the Rules and Regulations for Air Pollution Control of the Allegheny County Health Department. Most of the Chapters within Article XX are identical to those in Article XVIII, or were rewritten to clarify the regulations. Those regulations in Article XX which are substantively different from the previous regulations were discussed in the proposal notice of June 10, 1981, and again elsewhere in this notice.

EPA has reviewed Article XX and has found these regulations to be acceptable. Therefore, EPA is today approving Article XX for inclusion in the SIP in place of Article XVIII, except for § 404 and Chapter IX as mentioned above.

#### *Other SIP Requirements*

The remaining SIP requirements, consisting of commitments and resources to implement and enforce SIP measures, commitments to comply with schedules, and public involvement and analysis of effects, were discussed in the notice of June 10, 1981. These requirements were satisfied by the County's submittal.

#### *Public Comment*

A sixty day comment period followed the notice of proposed rulemaking which appeared in the Federal Register of June 10, 1981. During this comment period comments were received from five commenters.

Comments from an electric utility company and a major steel corporation were supportive of the action being

taken today. The following discussion deals with comments which raised issues on the Allegheny County SIP.

*Comment:* A commenter from the State of West Virginia expressed concern over the effect that a relaxation of SO<sub>2</sub> limitations for the Cheswick Power Station will have on air quality in West Virginia.

*Response:* Although the regulation change is a relaxation of the emission limitations for the plant, the actual effect of the change will be a reduction in emissions of 9,000 tons per year of SO<sub>2</sub> (based on 1976 actual operations and projected maximum operations). This is because the plant has been operating at a level of approximately 3.5 lbs. SO<sub>2</sub> per 10<sup>6</sup> Btu, and will be reducing emissions to a maximum of 2.8 lbs. SO<sub>2</sub> per 10<sup>6</sup> Btu. In addition, the modeling demonstration submitted with this proposed regulation change showed that less than "de minimis" impacts would occur in West Virginia from the Cheswick Power Station. This modeling showed that the highest impacts occurred within 4 kilometers (km) of the plant, and that the maximum impact at 26 km was 9 µg/m<sup>3</sup>. The Class I areas in West Virginia are at least 170 km from the Cheswick plant. No EPA-approved reference model can predict impacts at that distance, but little or no impact would be expected. As for any potential impact on TSP levels as a result of increased sulfate formation, EPA currently has no authority to enforce sulfate emission limitations.

A citizens group from Pittsburgh, PA, submitted extensive comments on several aspects of the plan submitted by the County.

*Comment:* Sufficient information substantiating a claim of attainment for large areas of the County was lacking in the plan for SO<sub>2</sub> and TSP.

*Response:* For SO<sub>2</sub>, the County operates seven continuous monitors located throughout the highly industrialized areas of the County. With the exception of the Hazelwood monitor, no exceedances of the primary standards have been detected, and the ambient levels have been steadily decreasing. These monitors are located in industrialized areas where problems would be expected. In the final report of the modeling exercise cited by the commenter as showing violations in the southernmost portion of the County, no discussion of Allegheny County is included. This study was intended only for areas outside of the County. The SO<sub>2</sub> study is being conducted to further refine air quality levels in this area. If any problems areas are discovered, they will be dealt with appropriately.

The County's monitoring network for TSP includes a high density of monitors in areas where problems might be expected. In addition, other monitors are placed where ambient levels would be expected to represent conditions existing in other similar portions of the County. The nonattainment and unclassified areas in this redesignation were developed along the boundaries as outlined above to encompass any areas that could reasonably be significantly affected by the emissions in those areas. The "neighborhood scale" of the monitors which indicate the problems, is included in the nonattainment and unclassified areas, i.e., these areas include the areas that would be expected to have ambient levels of pollutants similar to those that are measured at the monitor.

*Comment:* The emission relaxation for the Cheswick Power Station should not be allowed because of its environmental impacts and its effect on other States.

*Response:* The modeling effort for the Cheswick plant indicated that the emissions under the revised regulations, when added to existing ambient levels of SO<sub>2</sub>, will not cause a violation of any ambient air quality standards, and would result in less than "de minimis" impacts in other States. In addition, the regulation change will actually result in a reduction in emissions (as noted above). EPA currently has no authority to enforce sulfate emission limitations. (See response to Comment from the State of West Virginia.)

*Comment:* The coke oven gas desulfurization unit at J&L Steel in the Hazelwood area should resume operation immediately to ensure 12 consecutive months of operation prior to 1982.

*Response:* In order to ensure proper operation and sufficient reliability of this unit, some modifications are required. In the interim, continued operation of the unit could result in further deterioration and less reliability. Therefore, in the long run air quality will be improved to a greater extent if the unit is modified and improved, even if shutdown is required. The scheduled start-up date is still prior to December of 1982, which is the required attainment date for the primary standards.

*Comment:* For both the SO<sub>2</sub> and TSP studies, the commenter noted that start-up dates have been delayed and the schedules allow only a short period of time for development and implementation of control strategies for attainment.

*Response:* The County has committed to these schedules and believes that they can be met. Rather than shorten the studies, EPA believes that a full year's

data are necessary for model validation. If the County does not meet its commitments, appropriate action could then be taken by EPA. Also, several new regulations for TSP are scheduled to take effect in the interim. For unclassified areas, the 1982 attainment date does not apply. If the area is found to be a nonattainment area, the County has one year to submit an attainment plan, providing for attainment within three and one-half years of plan approval by EPA. EPA is providing assistance to the County in meeting the schedules for these studies, and is satisfied with the County's efforts to date.

*Comment:* The County should be required "to assure consistency with EPA's policy statement" for alternative emission reduction plans (bubbles).

*Response:* Each bubble presently has to be submitted as an SIP revision to EPA. Therefore, EPA will review each bubble to ensure consistency, and will also assist the County in the development of bubble plans. For this reason, EPA is taking no formal action on the County's bubble regulation.

*Comment:* The County does not have the resources necessary to carry out this plan.

*Response:* EPA believes that the County has adequate resources to carry out all the activities called for in the SIP. The County is progressing on the SO<sub>2</sub> study and is providing adequate assistance to the contractor in the TSP study. In addition, EPA will continue to assist the County in every way possible to meet the goals established by the SIP.

The Allegheny County Bureau of Air Pollution Control (the County) submitted comments correcting several items that appeared in the notice of June 10, 1981. These corrections have been made and are noted in today's notice.

#### EPA Actions

EPA conditionally approves Allegheny County's plan to attain the total suspended particulate standards. The conditional approval is based on the County's commitment to conduct certain studies, to implement certain regulations if necessary, and to achieve compliance by specified dates. If the County fails to meet its commitments, it will not be meeting its obligation under the Act and growth restrictions will apply.

The redesignation for SO<sub>2</sub> and TSP and the County's plan to attain the SO<sub>2</sub> standard are approved and become effective in 30 days.

The change in the sulfur dioxide emission limits for the Cheswick Power Station are being approved and become effective in 30 days.

Article XX of the Allegheny County Health Department is approved in place of Article XVIII except as noted in the section entitled *Review of Regulations*.

Under Executive Order 12291, EPA must judge whether a regulation is "Major" and therefore subject to the requirement of a Regulatory Impact Analysis. This regulation is not major because this action only approves State actions and imposes no new requirements.

This regulation is exempt from review by the Office of Management and Budget as provided by Section 8(a)(2) of Executive Order 12291. Due to a court imposed deadline the Agency was unable to send this rule to OMB for review prior to publication.

Pursuant to the Provisions of 5 U.S.C. Section 605(b) I hereby certify that this approval will not have a significant economic impact on a substantial number of small entities. This action only approves State actions. It imposes no new requirements.

Under Section 307(b)(1) of the Clean Air Act, judicial review of this action is available *only* by the filing of a petition for review in the United States Court of Appeals for the appropriate circuit within 60 days of today. Under Section 307(b)(2) of the Clean Air Act, the requirements which are the subject of today's notice may not be challenged later in civil or criminal proceedings brought by EPA to enforce these requirements.

(42 U.S.C. 7401-842)

Dated: October 15, 1981.

Anne M. Gorsuch,  
Administrator.

Note.—Incorporation by reference of the State Implementation Plan for the State of Pennsylvania was approved by the Director of the Federal Register on July 1, 1981.

#### PART 52—APPROVAL AND PROMULGATION OF STATE IMPLEMENTATION PLANS

Title 40, Part 52 of the Code of Federal Regulations is amended as follows:

##### Subpart NN—Pennsylvania

1. In § 52.2020, paragraph (c)(4) is revised to read as follows:

§ 52.2020 Identification of plan.

• • • • •

(c) • • • • •  
(4) "An Implementation Plan for the Attainment and Maintenance of the National Ambient Air Quality Standards for Allegheny County, Commonwealth of Pennsylvania, 1980", and Article XX (which replaces Article XVIII), which were submitted on December 24, 1980.

**PART 81—DESIGNATION OF AREAS FOR AIR QUALITY PLANNING PURPOSES**

Title 40, Part 81 of the Code of Federal Regulations is amended as follows:

**Subpart C—Section 107 Attainment Status Designations**

1. In § 81.339, the table entitled "Pennsylvania-TSP" and "Pennsylvania-SO<sub>2</sub>" are revised to read as follows:

§ 81.339 [Amended]

PENNSYLVANIA.—TSP

Designated area	Does not meet primary standards	Does not meet secondary standards	Cannot be classified	Better than National standards
<b>I. Metropolitan Philadelphia Interstate AQCR:</b>				
<b>(A) City of Philadelphia:</b>				
Census tracts 1-12, 125-142, 144-157, 162-177, 190-205, 293, 294, 298-302, 315-321, 323, 325, 326, 329-332		X		
Census tracts 13-75, 143, 158-161, 178-189, 295-297, 322, 324, 327.			X	
Balance of City				X
<b>(B) Montgomery County:</b>				
Conshohocken Boro		X		
West Conshohocken Boro			X	
Lower Merion Boro			X	
Narberth Boro			X	
Upper Merion Twp			X	
Bridgeport Boro			X	
Norristown Boro			X	
Plymouth Twp			X	
Whitemarsh Twp			X	
Lansdale Boro				X
Pottstown Boro		X		
Upper Moreland Twp			X	
Lower Pottsgrove Twp			X	
Upper Providence Twp			X	
<b>(C) Chester County:</b>				
South Coatesville Boro		X		
City of Coatesville			X	
Cain Twp			X	
Downingtown Boro			X	
East Fallowfield Twp			X	
Modena Boro			X	
Valley Twp			X	
North Coventry Twp			X	
East Coventry Twp			X	
Phoenixville Boro		X		
Schuylkill Twp			X	
<b>(D) Bucks County:</b>				
Doylestown Twp			X	
<b>(E) Remaining Pennsylvania Portion of AQCR</b>				
<b>II. Northeast Pennsylvania Interstate AQCR:</b>				
<b>(A) Allentown, Bethlehem, Easton Air Basin</b>				
	X			
<b>(B) Reading Air Basin</b>				
		X		
<b>(C) Scranton, Wilkes Barre Air Basin</b>				
		X		
<b>(D) Remaining Pennsylvania Portion of AQCR</b>				
				X
<b>III. South Central Pennsylvania Intrastate AQCR:</b>				
<b>(A) Lancaster Air Basin</b>				
	X			
<b>(B) Harrisburg Air Basin</b>				
		X		
<b>(C) York Air Basin</b>				
	X			
<b>(D) Remainder of AQCR</b>				
				X
<b>IV. Central Pennsylvania Intrastate AQCR:</b>				
<b>(A) Johnstown Air Basin</b>				
	X			
<b>(B) Lycoming County:</b>				
City of Williamsport		X		
South Williamsport Boro			X	
Dubois Boro			X	
Armstrong Twp			X	
Susquehanna Twp			X	
Woodward Twp			X	
Old Lycoming Twp			X	
Loyalsock Twp			X	
Montoursville Boro			X	
<b>(C) Blair County:</b>				
City of Altoona		X		
Logan Twp			X	
Allegheny Twp			X	
<b>(D) Remainder of AQCR</b>				
				X
<b>V. Southwest Pennsylvania Interstate AQCR:</b>				
<b>(A) Monongahela Valley Air Basin</b>				
	X			
<b>(B) Allegheny County Air Basin</b>				
(1) A three mile-wide strip which is within a perpendicular distance two miles north and east and one mile south and west of the river center line with terminus points as follows:				
(a) The Beaver County line to the I-79 Bridge on the Ohio River.			X	

PENNSYLVANIA.—TSP—Continued

Designated area	Does not meet primary standards	Does not meet secondary standards	Cannot be classified	Better than National standards
(b) I-79 Bridge to the McKees Rocks Bridge on the Ohio River.	X			
(c) McKees Rocks Bridge to the Birmingham Bridge on the Ohio and Monongahela Rivers.	X			
(d) Birmingham Bridge to the Glenwood Bridge on the Monongahela River.	X			
(e) Glenwood Bridge to the Mansfield Bridge (Dravosburg) on the Monongahela River.	X			
(f) Mansfield Bridge to the Westmoreland County line on the Monongahela River.	X			
(2) The area within a half-mile radius of the Greater Pittsburgh Airport monitor.	X			
(3) The one mile wide strip centered on Turtle Creek running from area (V)(B)(1)(e) above to the Westmoreland County line.	X			
(4) The area within Allegheny County within a radius of two miles of the Springdale monitor.		X		
(5) The remaining portions of the Allegheny County Air Basin.				X.
(C) Beaver Valley Air Basin	X			
(D) Remainder of AQCR				X.
VI. Northwest Pennsylvania Interstate AQCR:				
(A) Erie Air Basin	X			
(B) Mercer County:				
City of Sharon	X			
City of Farrell	X			
Hickory Twp			X	
Sharpsville Boro			X	
Wheatland Boro			X	
(C) Beaver Valley Air Basin	X			
(D) Remaining Pennsylvania Portion of AQCR				X.

PENNSYLVANIA.—SO<sub>2</sub>

Designated area	Does not meet primary standards	Does not meet secondary standards	Cannot be classified	Better than National standards
I. Metropolitan Philadelphia Interstate AQCR:				
(A) City of Philadelphia:				
Census tracts 2, 3, 4, 5, 6, 7, 8, 9, 11, 12	X			
Balance of City				X.
(B) Delaware County				X.
(C) Remaining Pennsylvania Portion of AQCR				X.
II. Northeast Pennsylvania Intrastate AQCR				X.
III. South Central Pennsylvania Intrastate AQCR				X.
IV. Central Pennsylvania Intrastate AQCR:				
(A) Northumberland County:				
Lower Augusta Twp	X			
Point Twp	X			
Little Mahanoy Twp		X		
Rockefeller Twp		X		
Shamokin Twp		X		
Upper Augusta Twp			X	
Sunbury Boro			X	
Northumberland Boro			X	
(B) Snyder County:				
Shamokin Dam	X			
Monroe Twp			X	
(C) Remainder of AQCR				X.
V. Southwest Pennsylvania Intrastate AQCR:				
(A) Monongahela Valley Air Basin			X	
(B) Allegheny County Air Basin:				
(1) The area within a two-mile radius of the Hazelwood monitor.	X			
(2) That portion of Allegheny County within an eight-mile radius of the Dusquesne Golf Association Club House in West Mifflin excluding the non-attainment area (#1).			X	
(3) The area within a two-mile radius of the Bellevue monitor.			X	
(4) The remaining portions of the Allegheny County Air Basin.				X.
(C) Beaver Valley Air Basin (Beaver County)	X			
(D) Armstrong County:				
Madison Twp	X			
Mahoning Twp	X			
Boggs Twp	X			
Washington Twp	X			
Fine Twp	X			
(E) Remainder of AQCR				X.
VI. Northwest Pennsylvania Interstate AQCR:				
(A) Warren County:				
Conewago Twp	X			
Warren Boro			X	
Mead Twp			X	

PENNSYLVANIA.—SO.—Continued

Designated area	Does not meet primary standards	Does not meet secondary standards	Cannot be classified	Better than national standards
Clarendon Boro.....			X	
Pleasant Twp.....			X	
(B) Beaver Valley Air Basin (Lawrence County).....			X	
(C) Remaining Pennsylvania Portion of the AOCR.....				X

[FR Doc. 81-30453 Filed 10-20-81; 8:45 am]  
BILLING CODE 6560-38-M

40 CFR Part 180

[PH-FRL-1965-2; PP OE2364/R358]

**Tolerances and Exemptions From Tolerances for Pesticide Chemicals in or on Raw Agricultural Commodities; Paraquat**

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

**ACTION:** Final rule.

**SUMMARY:** This rule establishes a tolerance for the desiccant, defoliant, and herbicide paraquat (1,1'-dimethyl-4,4'-bipyridinium-ion) derived from application of either the bis(methyl sulfate) or the dichloride salt (both calculated as the cation). This regulation was requested by the Interregional Research Project No. 4 (IR-4). This regulation will establish a maximum permissible level for residues of the subject chemical in or on rhubarb at 0.05 part per million (ppm).

**EFFECTIVE DATE:** Effective on: October 21, 1981.

**ADDRESS:** Written objections may be submitted to the: Hearing Clerk, Environmental Protection Agency, Rm. 3708 (A-110), 401 M St., SW., Washington, D.C. 20460.

**FOR FURTHER INFORMATION CONTACT:** Donald Stubbs, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 502B, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703-557-7123).

**SUPPLEMENTARY INFORMATION:** EPA issued a notice that was published in the Federal Register of August 20, 1981 (46 FR 42298) that the Interregional Research Project No. 4 (IR-4), New Jersey Agricultural Experiment Station, P.O. Box 231, Rutgers-University, New Brunswick, NJ 08903, had submitted pesticide petition number OE2364 to EPA on behalf of the IR-4 Technical Committee and the Agricultural Experiment Stations of Michigan, Oregon, and Washington.

This petition requested that the Administrator, pursuant to section

408(e) of the Federal Food, Drug, and Cosmetic Act propose the establishment of a tolerance for residues of the desiccant, defoliant, and herbicide paraquat in or on the raw agricultural commodity rhubarb at 0.05 ppm.

No comments or requests for referral to an advisory committee were received in response to this notice of proposed rulemaking.

The data submitted in the petition and all other relevant material have been evaluated. The pesticide is considered useful for the purpose for which the tolerance is sought. It is concluded that establishment of the tolerance will protect the public health; therefore, the tolerance is established as set forth below.

Any person adversely affected by this regulation may, within 30 days after the date of publication of this notice in the Federal Register, file written objections with the Hearing Clerk, Environmental Protection Agency, Rm. 3708 (A-110), 401 M St., SW., Washington, D.C. 20460. Such objections should be submitted in quintuplicate and specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested the objections must state the issues for the hearing. A hearing will be granted if the objections are legally sufficient to justify the relief sought.

As required by Executive Order 12291, EPA has determined that this rule is not a "Major" rule and therefore does not require a Regulatory Impact Analysis. In addition, the Office of Management and Budget (OMB) has exempted this rule from the OMB review requirements of Executive Order 12291, pursuant to section 8(b) of that Order.

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-534, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in

the Federal Register of May 4, 1981 (46 FR 24950).

Effective on: October 21, 1981.

(Sec. 408(e), 68 Stat. 514 (21 U.S.C. 346a(e)))

Dated: October 9, 1981.

Edwin L. Johnson,

Director, Office of Pesticide Programs.

Therefore, 40 CFR 180.205 is revised to read as follows:

**§ 180.205 Paraquat; tolerances for residues.**

Tolerances are established for residues of the desiccant, defoliant, and herbicide paraquat (1,1'-dimethyl-4,4'-bipyridinium-ion) derived from application of either the bis(methyl sulfate) or the dichloride salt (both calculated as the cation) in or on the following raw agricultural commodities:

Commodities	Parts per million
Alfalfa.....	5
Almond hulls.....	0.5
Apples.....	0.05(N)
Apricots.....	0.05(N)
Avocados.....	0.05(N)
Bananas.....	0.05(N)
Barley grain.....	0.05(N)
Beets, sugar.....	0.5
Beets, sugar (tops).....	0.5
Birdsfoot trefoil.....	5
Cattle, fat.....	0.01(N)
Cattle, meat.....	0.01(N)
Cattle, mby.....	0.01(N)
Cherries.....	0.05(N)
Citrus fruit.....	0.05(N)
Clover.....	5
Coffee beans.....	0.05(N)
Corn, fresh (sic sweet corn) (K+CWHR).....	0.05(N)
Corn fodder.....	0.05(N)
Corn forage.....	0.05(N)
Corn grain.....	0.05(N)
Cottonseed.....	0.5
Eggs.....	0.01(N)
Figs.....	0.05(N)
Goats, fat.....	0.01(N)
Goats, meat.....	0.01(N)
Goats, mby.....	0.01(N)
Grass, pasture.....	5
Grass, range.....	5
Guar beans.....	0.5
Guava.....	0.05(N)
Hogs, fat.....	0.01(N)
Hogs, meat.....	0.01(N)
Hogs, mby.....	0.01(N)
Hops, fresh.....	0.1
Hop vines.....	0.5
Horses, fat.....	0.01(N)
Horses, meat.....	0.01(N)
Horses, mby.....	0.01(N)
Lettuce.....	0.05(N)
Melons.....	0.05(N)
Milk.....	0.01(N)
Nectarines.....	0.05(N)
Nuts.....	0.05(N)
Oat grain.....	0.05(N)
Olives.....	0.05(N)
Papayas.....	0.05(N)
Passion fruit.....	0.2
Peaches.....	0.05(N)
Pears.....	0.05(N)
Peppers.....	0.05(N)
Pineapples.....	0.05(N)
Plums (fresh prunes).....	0.5
Potatoes.....	0.01(N)
Poultry, fat.....	0.01(N)
Poultry, meat.....	0.01(N)
Poultry, mby.....	0.01(N)
Rhubarb.....	0.05(N)
Rye grain.....	0.05(N)
Safflower seed.....	0.05(N)
Sheep, fat.....	0.01(N)
Sheep, meat.....	0.01(N)
Sheep, mby.....	0.01(N)