

less. This new provision supersedes section XI of MI PO-210-79-30, "Recognition of a Successor in Interest" with respect to contract units.

—3-809, which requires audit review of cost or pricing data for negotiated procurement actions exceeding \$100,000 in amount, is revised to change the \$100,000 threshold to \$250,000. This increase in the threshold is not intended to discourage the use of audit services on contracts of lesser size when appropriate. See 3-809(b)(1)(ii).

—19-103.1(b) corrects the reference.

—19-103.2 (a) and (b) correct references.

—19-105.2 revises the definition of an advertised contract.

—19-105.9 revises the definition of a negotiated contract.

—19-310.1, 19-410.1, and 19-1010.1 clarify the terms on which highway, rail, and terminal handling contracts may be renewed.

—Use the following new, revised, or replacement forms immediately when applicable:

Form 7298, *Contract Unit Performance Bond*, September 1981.

Form 7322, *Solicitation, Offer and Award (Construction Contract)*, August 1981.

Form 7463, *Cost Statement—Highway Transportation Contracts*, June 1981.

(5 U.S.C. 552(a), 39 U.S.C. 401, 404, 410, 411)  
W. Allen Sanders,

*Associate General Counsel Office of General Law and Administration.*

[FR Doc. 81-35825 Filed 12-14-81; 8:45 am]

BILLING CODE 7710-12-M

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[A-7-FRL-1990-3]

#### Approval and Promulgation of State Implementation Plans: State of Kansas

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

**ACTION:** Final rulemaking.

**SUMMARY:** Part D of the Clean Air Act (CAA) as amended in 1977 requires that states revise their State Implementation Plans (SIP) for all areas that have not attained the National Ambient Air Quality Standards (NAAQS). The State of Kansas submitted SIP revisions for attaining the carbon monoxide (CO) NAAQS to EPA on April 16, 1981, in order to satisfy the requirements of Part D for the South Central Kansas Air Quality Control Region, Sedgwick County, Wichita central city

nonattainment area. The SIP revision was announced as available for public inspection and comment in the May 22, 1981, Federal Register (46 FR 27972). EPA's proposed action on the submittal was published in the August 31, 1981, Federal Register (46 FR 43701).

EPA is taking final action to approve all elements of the Kansas plan except one element which EPA conditionally approved in a previous action. A discussion of conditional approval and its practical effect appears in supplements to the General Preamble on July 2, 1979 (44 FR 38583) and November 23, 1979 (44 FR 67182).

**DATE:** This approval is effective December 15, 1981.

**ADDRESSES:** Copies of the state submission, all public comments received, and the EPA prepared evaluation report are available during normal business hours at those locations listed in the May 22, 1981 (46 FR 27972) and August 31, 1981 (46 FR 43701), Federal Registers.

A copy of the state submission and this notice is available at: The Office of the Federal Register, 1100 L Street, NW., Room 8401, Washington, D.C. 20460.

**FOR FURTHER INFORMATION CONTACT:** Michael T. Marshall, (816) 374-3791, FTS 758-3891.

#### SUPPLEMENTARY INFORMATION:

##### A. General Discussion

Part D of the CAA requires states to revise their SIPs for all areas that have not attained the NAAQS. The April 16, 1981, Kansas SIP submission demonstrated the attainment and maintenance of the CO NAAQS by December 31, 1982, for the Wichita nonattainment area. The SIP submittal documents that over 98 percent of the CO emissions in the Wichita area come from transportation sources. There is only one major stationary CO source in the area, and it is controlled to the reasonably available control technology (RACT) level. The federal motor vehicle control program by itself will cause enough CO emissions to be reduced that attainment of the NAAQS will occur by October 1983. An additional CO reduction of 639 tons per year is needed for attainment by December 1982. The SIP submittal commits to the implementation of nine transportation control measures (TCMs) for a CO reduction of 723 tons per year and attainment in 1982. The TCMs being implemented are improved mass transit, expanded carpool/vanpool programs, improved traffic flow projects, and a voluntary inspection and maintenance (I/M) program. The reader should refer to the August 31, 1981, Federal Register

for a more detailed description of the SIP revision, the criteria for plan approval, and EPA's evaluation and proposed action on the approvability of the Kansas SIP submittal.

##### B. Conclusion

For the reasons stated in the proposed rulemaking, EPA approves the Kansas SIP revisions for the South Central Kansas Interstate Air Quality Control Region, Wichita nonattainment area, as meeting the requirements of Part D of the CAA, except for the condition in the Kansas Part D SIP promulgated in the April 3, 1981, Federal Register (46 FR 20164). The April 3, 1981, condition requires the state to pass legislation and amend its new source permit regulations to establish permanent regulations meeting the requirements of Section 173(3) of the CAA. This condition remains in effect and is not changed by this rulemaking. The reader should refer to the April 3, 1981 and August 31, 1981, Federal Registers for more detailed information on the Kansas Part D SIP conditional approval.

EPA's policy on the transition from the pre-1977 CAA requirements and those resulting from the 1977 CAA amendments is described in detail at 46 FR 20169, Column 3, April 3, 1981, relating to the approval of other portions of the Kansas SIP.

Under Executive Order 12291, EPA must judge whether a rule is "major" and therefore subject to the requirement of a Regulatory Impact Analysis. This rule is not "major" because it only approves State actions and imposes no additional substantive requirements which are not currently applicable under State law. Hence it is unlikely to have an annual effect on the economy of \$100 million or more, or to have other significant adverse impacts on the national economy.

EPA finds that good cause exists for making these amendments effective immediately for the following reasons:

1. The approvals and conditional approval granted today lift the construction restriction which went into effect on July 1, 1979; and

2. The immediate effectiveness enables sources to proceed with certainty in conducting their affairs and persons seeking judicial review of the amendments may do so without delay.

Pursuant to the provisions of 5 U.S.C. 605(b), I hereby certify that this rule will not have a significant economic impact on a substantial number of small entities. This action only approves State actions and imposes no additional substantive requirements.

Under section 307(b)(1), of the Clean Air Act, as amended, 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), 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.

This notice of final rulemaking is issued under the authority of Sections 110 and 301 of the Clean Air Act, as amended.

Dated: December 8, 1981.

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

Anne M. Gorsuch,  
Administrator.

**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:

1. Section 52.870 is amended by adding the following paragraph (c)(11):

**§ 52.870 Identification of plan.**

\* \* \* \* \*

(c) The plan revisions listed below were submitted on the dates specified:

\* \* \* \* \*

(11) Kansas submitted SIP revisions to attain and maintain the National Ambient Air Quality Standards for carbon monoxide on April 16, 1981, for the South Central Kansas Interstate Air Quality Control Region, Wichita nonattainment area. The plan included commitments to complete transportation control measures for the reduction of carbon monoxide from transportation-related sources for the attainment of the national standards by December 31, 1982.

2. Section 52.873 is amended by adding "carbon monoxide" to the second sentence specifying the pollutants for which there are Part D Kansas SIP approvals. The sentence is revised to read as follows:

**§ 52.873 Approval status:**

\* \* \* Continued satisfaction of the requirements of Part D for the ozone; carbon monoxide, and TSP portions of the Kansas SIP depends on the adoption of the regulatory element of the plan as permanent amendments to the Kansas

air quality regulations, the adoption of a regulation covering leaks from tank trucks serving bulk petroleum terminals and vapor recovery system; the adoption and submission of additional reasonably available control technology (RACT) requirements for any source covered by Control Technology Guidelines issued by EPA in the future, the revision of the new source review permit regulation to comply with Section 173(3) of the CAA, and the submission of the results from additional study of the state's determination that all major sources are controlled to a degree representing RACT and of a compliance schedule for recommended actions to bring these sources to RACT, as needed. No action was taken on the non-Part D requirements of the Act.

3. Section 52.879 is amended by revising the attainment date, "c" (presently below standards), for carbon monoxide in the South Central Kansas Interstate air quality control region to "e" (December 31, 1982). The Table is amended to read as follows:

**§ 52.879 Attainment dates for national standards.**

\* \* \* \* \*

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
	Primary	Secondary	Primary	Secondary			
South Central Kansas Interstate	a	a	c	c	c	e	a

[FR Doc. 81-35775 Filed 12-14-81; 8:45 am]  
BILLING CODE 6560-38-M

**40 CFR Part 52**

[A-1-FRL 1987-1]

**Approval and Promulgation of Implementation Plans; Sulfur-in Fuel Revision for Eastman Gelatine Corp.; Massachusetts**

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

**ACTION:** Final rule; State: Massachusetts.

**SUMMARY:** EPA is approving a revision to the Massachusetts State Implementation Plan (SIP) which was submitted on September 24, 1981 by the Commissioner of the Massachusetts Department of Environmental Quality Engineering. The revision being approved today revises the sulfur-in-fuel limitation for the Eastman Gelatine

Corporation, Peabody, Massachusetts from 0.55 pounds to 1.21 pounds of sulfur per million BTU heat release potential. The effect of this revision is to allow Eastman Gelatine to burn less expensive higher sulfur content oil.

**DATE:** This action will be effective on February 16, 1982, unless notice is received on or before January 14, 1982 that someone wishes to submit adverse or critical comments.

**ADDRESSES:** Written comments should be addressed to Harley Laing, Chief, Air Branch, EPA Region I (see address below). Copies of the Massachusetts submittal and EPA's evaluation are available for public inspection during normal business hours at the Environmental Protection Agency, Region I, Air Branch, Room 1903, JFK Federal Building, Boston, Massachusetts 02203; Public Information Reference Unit, Environmental Protection Agency,

401 M Street, SW, Washington, D.C. 20460; Office of the Federal Register, 1100 L Street, NW, Room 8401, Washington, D.C., and Department of Environmental Quality Engineering, Air and Hazardous Materials Division, 1 Winter Street, Boston, Massachusetts 02108.

**FOR FURTHER INFORMATION CONTACT:** Margaret McDonough, Air Branch, EPA Region I, Room 1903, JFK Federal Building, Boston, Massachusetts, 02203, (617) 223-4448.

**SUPPLEMENTARY INFORMATION:** On September 24, 1981 the Commissioner of the Massachusetts Department of Environmental Quality Engineering (the Massachusetts Department) submitted a request for approval of a revision to Regulation 7.05(1)(d) "Sulfur Content of Fuel and Control Thereof for the Metropolitan Boston Air Pollution