

generally are administrative and retain equivalent emission control requirements. EPA reviewed these rules with respect to the Clean Air Act and determined that they should be approved.

EFFECTIVE DATE: August 17, 1982.

ADDRESSES: Copies of the revisions are available for public inspection during normal business hours at the following locations:

Public Information Reference Unit,
Environmental Protection Agency,
Library, 401 M Street SW., Room 2404,
Washington, D.C. 20460

Library, Office of the Federal Register,
1100 L Street NW., Room 8401,
Washington, D.C. 20408

Clark County Health District, 625
Shadow Lane, Las Vegas, NV 89106

Nevada Department of Conservation
and Natural Resources, 201 South Fall
Street, Capitol Complex, Carson City,
NV 89710.

FOR FURTHER INFORMATION CONTACT:

Douglas Grano, Chief, State
Implementation Plan Section, Air
Management Division, Environmental
Protection Agency, Region 9, 215
Fremont St., San Francisco, CA 94105,
(415) 974-8058.

SUPPLEMENTARY INFORMATION: The
Governor of Nevada submitted the
following rules and regulations on the
indicated dates:

	Nevada State
	December 29, 1978
Article:	
1	Definitions (Colemanite Processing Plant, Colemanite, and Ore).
7.2.8.1 to 7.2.8.3	Particulate Matter, Industrial Sources.
16	Standards of Performance for New Stationary Sources.
16.3.1.2 to 16.3.3	Portland Cement Plants.
16.15.1 to 16.15.4	Primary Lead Smelters.
	July 24, 1979
Article:	
12	Ambient Air Quality Standards Nevada Standards, Lead (Pb).
	November 5, 1980
Article:	
7.2.5, 7.2.5.1, 7.2.9	Particulate Matter, Industrial Sources.
8.3.4	Sulfur Emissions, Other Sulfur Emitting Processes.
	Clark County
	November 17, 1981
Section:	
4.7.3	Control Officer.
7	Hearing Board.
9.1	Administrative Fines.
16	Operating Permits.
17.2.1, 17.6.1	Permission to Disturb Topsoil.
18.1 to 18.5.2	Registration/Permit Fees.
23.2.1 to 23.3.1.2, 23.3.4 to 23.3.5	Continuous Monitoring by Fossil Fuel-Fired Steam Generators.
27	Particulate Matter From Process Weight Rate.
30.4, 30.8	Incinerators.
52.4.2.3, 52.7.2	Handling of Gasoline.
60.4.3	Evaporation and Leakage.

Under section 110 of the Clean Air Act as amended, and 40 CFR Part 51, the Administrator is required to approve or disapprove these regulations as State Implementation Plan (SIP) revisions. All the rules listed above have been evaluated and found in accordance with EPA policy and 40 CFR Part 51. EPA's detailed evaluation of the submitted rules is available at the EPA Library in Washington, D.C., and the Region 9 Office.

This notice approves all the rule revisions listed above and incorporates them into the Nevada SIP. EPA's approval of the above revisions to the Nevada SIP is being done without prior proposal because the revisions are not controversial. The public is advised that this approval action will be effective 60 days from the date of this Federal Register notice. However, if notice is received by EPA within 30 days that someone wishes to submit adverse or critical comments, the approval action will be withdrawn and a subsequent notice will be published before the effective date. The subsequent notice will indefinitely postpone the effective date, modify the final action to a proposed action, and establish a comment period.

Under the Clean Air Act, any petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by (60 days from today). This action may not be challenged later in proceedings to enforce its requirements.

The Office of Management and Budget has exempted this notice from the requirements of section 3 of Executive Order 12291.

Under 5 U.S.C. 605(b), the Administrator has certified that SIP approvals do not have a significant economic impact on a substantial number of small entities. (See 46 FR 8709.)

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

List of Subjects in 40 CFR Part 52

Air pollution control, Ozone, Sulfur oxides, Nitrogen dioxide, Lead, Particulate matter, Carbon monoxide, Hydrocarbons.

(Secs. 110 and 301(a), Clean Air Act, as amended (42 U.S.C. 7410 and 7601(a)).

Dated: June 14, 1982.

Anne M. Gorsuch,
Administrator.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

Subpart DD—Nevada

1. Section 52.1470 is amended by adding paragraphs (c)(14)(viii), (16)(x), (22)(ii), and (24)(iv) as follows:

§ 52.1470 Identification of plan.

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- (c) * * *
- (14) * * *
- (viii) Amendments to the Nevada Air Quality Regulations: Article 1; Article 7, Rules 7.2.8.1-7.2.8.3; Article 16, Rules 16.3.1.2-16.3.3 and Rules 16.15.1-16.15.4.
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- (16) * * *
- (x) Amendments to the Nevada Air Quality Regulations: Article 12, Lead (Pb).
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- (22) * * *
- (ii) Amendments to the Nevada Air Quality Regulations: Article 7, Rules 7.2.5, 7.2.5.1, 7.2.9; and Article 8, Rule 8.3.4.
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- (24) * * *
- (iv) Amendments to the Clark County District Board of Health Air Pollution Control Regulations: Section 4, Rule 4.7.3; Section 7; Section 9, Rule 9.1; Section 16; Section 17, Rules 17.2.1 and 17.6.1; Section 18, Rules 18.1-18.5.2; Section 23, Rules 23.2.1-23.3.1.2 and Rules 23.3.4-23.3.5; Section 27; Section 30, Rules 30.4 and 30.8; Section 52, Rules 52.4.2.3 and 52.7.2; and Section 60, Rule 60.4.3.

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40 CFR Part 52

[EPA Action KS 276; FRL-2137-6]

Revision to State Implementation Plan; State of Kansas

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rulemaking.

SUMMARY: In order to satisfy the requirements of Part D of the Clean Air Act, as amended, the State of Kansas submitted revisions to its State

Implementation Plan (SIP) in 1979 and 1980. On April 3, 1981, EPA took final action to approve certain elements of the Kansas plan and to conditionally approve certain other portions. On September 15, 1981, the Kansas Department of Health and Environment submitted a revision to fulfill one of these conditions. The condition required the state to submit additional information to substantiate its determination that those sources of particulate listed in the state particulate plan which have no air pollution control equipment meet the requirements of reasonably available control technology (RACT).

On March 5, 1982, EPA proposed in the *Federal Register* (47 FR 9481) to remove the applicable condition on the Kansas SIP and solicited public comments on the action. No comments were received as a result of the March 5 proposal.

The purpose of this notice is to advise the public that EPA is taking final action to remove the applicable condition on approval of the Kansas SIP. Until all conditions are met, conditional approval of the SIP will continue.

EFFECTIVE DATE: This action is effective July 19, 1982.

ADDRESSES: Copies of the state submission are available for inspection during normal business hours at the following locations: Environmental Protection Agency, Air Branch, 324 East 11th Street, Kansas City, Missouri 64108; Environmental Protection Agency, Public Information Reference Unit, 401 M Street, S.W., Washington, D.C. 20460; and Kansas Department of Health and Environment, Bureau of Air Quality and Occupational Health, Forbes Field, Topeka, Kansas 66101.

FOR FURTHER INFORMATION CONTACT: Mary C. Carter at (816) 374-3791 (FTS 758-3791).

SUPPLEMENTARY INFORMATION: On April 3, 1981 (46 FR 20164), EPA took final action with regard to the requirements of part D of the Clean Air Act, as amended, to approve certain portions of the Kansas SIP and to conditionally approve certain other portions.

In its original SIP submittal in 1979, the state certified that all major point sources of particulate in the Kansas City, Kansas, nonattainment area were required to meet regulations representing RACT. However, the submittal indicated that some of the sources had no control equipment. Therefore, one of the conditions promulgated by EPA on April 3, 1981, required the state to submit additional information to substantiate its

determination of RACT for those point sources of particulate listed in the state plan which are not equipped with control equipment. In addition, the state was required to implement any recommended control measures which might be identified and to submit acceptable compliance schedules for completing the actions which may be necessary to control these sources at the RACT level, so that Kansas City attains the particulate standard by the December 31, 1982 deadline.

On September 15, 1981, the Kansas Department of Health and Environment (KDHE) submitted a revision which included a study carried out by the local agency, the Kansas City-Wyandotte County Department of Health which, EPA believes, does not adequately address all of the uncontrolled sources listed in the state particulate plan. However, EPA learned through further communication with the local agency that some of the uncontrolled sources which are not addressed in the report, either no longer exist, have not been operating for the last year, or have undergone process modifications to reduce particulate emissions. The remaining point sources which do not have control equipment represent only two percent of the Wyandotte County particulate emission inventory. In addition, for at least one of these uncontrolled sources there is no reasonably available control equipment.

EPA has reviewed the September 15, 1981, submission from KDHE and has determined that it does not meet the requirements of the April 3, 1981 condition on approval of the Kansas SIP because the submission only addresses some of those uncontrolled sources listed in the state particulate plan. However, because of recent information as discussed above, EPA finds that the condition is no longer appropriate. On March 5, 1982, EPA proposed to remove this condition on the Kansas SIP. The reader is referred to the *Federal Register* notice published on that date (47 FR 9481) for further information. There were no comments received as a result of the proposal.

Action: EPA removes the condition on approval of the Kansas SIP identified earlier in this notice. Until all the conditions identified in the April 3, 1981 notice are removed, conditional approval of the Kansas SIP will continue.

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

Under section 307(b)(1) of the Clean Air Act, as amended, petitions for judicial review of this action must be

filed in the United States Court of Appeals for the appropriate circuit within 60 days of today. Under section 307(b)(2), this action may not be challenged later in proceedings to enforce its requirements.

List of Subjects in 40 CFR Part 52

Air pollution control, Ozone, Sulfur dioxide, Nitrogen dioxide, Lead, Particulate matter, Carbon monoxide, Hydrocarbons.

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

Dated: June 14, 1982.

Ann M. Gorsuch,
Administrator.

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.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Part 52 of Chapter 1, Title 40 of the Code of Federal Regulations is amended as follows:

Subpart R—Kansas

1. Section 52.870 is amended by adding a new paragraph (c)(13) to read as follows:

§ 52.870 Identification of plan.

* * * * *

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

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(13) Letter and supporting documents submitted on September 15, 1981, from the Director of Air Quality and Occupational Health relating to reasonably available control technology for certain particulate matter sources in the Kansas City, Kansas area.

§ 52.875 [Amended]

2. Section 52.875, *General Requirements*, is amended by removing paragraph (a)(3)(ii).

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BILLING CODE 6560-50-M

40 CFR Part 52

[A-9-FRL 2141-6]

California State Implementation Plan Revisions

AGENCY: Environmental Protection Agency.

ACTION: Notice of final rulemaking.