CHAPTER X—FEDERAL INSURANCE ADMINISTRATION, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI-206]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

Sections 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates appears for each listed community. Each date appearing in the last column of the table is followed by a designation which indicates whether the date signifies the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. The entry reads as follows:

§ 1914.4 Status of participating communities.

* * * * * * * *

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
*	*	*	*	*	*	*
Ohio	Cuyahoga	Hunting Valley, village of.	----------	----------	----------	Sept. 10, 1973.
Pennsylvania	Erie	Fairview, township of.	----------	----------	----------	Do. Emergency.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (secs. 408-410, Pub. L. 91-152, Dec. 24, 1969) (42 U.S.C. 4001-4127) and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969.)

Issued: September 4, 1973.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.73-19481 Filed 9-13-73;8:45 am]

Title 32—National Defense

CHAPTER VII—DEPARTMENT OF THE AIR FORCE

SUBCHAPTER A—ADMINISTRATION

PART 809—ISSUE AND CONTROL OF IDENTIFICATION (ID) CARDS

Miscellaneous Amendments; Correction

In FR Doc.73-18576, appearing at page 23945, in the issue of Wednesday, September 5, 1973, item 17 of § 809.7 should be corrected to read:

17. Medal of Honor Recipients No No (3) Yes Yes.
a. Lawful wife No No (3) Yes Yes.

By order of the Secretary of the Air Force.

JOHN W. FAHRNEY,
Colonel, USAF, Chief, Legislative Division, Office of The Judge Advocate General.

[FR Doc.73-19550 Filed 9-13-73;8:45 am]

Title 38—Pensions, Bonuses, and Veterans' Relief

CHAPTER I—VETERANS ADMINISTRATION

PART 36—LOAN GUARANTY

Prepayment of Mortgage Loans Interest Charges

The Veterans Administration is amending § 36.4310, Title 38, Code of Federal Regulations to make clear that on full prepayment of guaranteed mortgage loans interest may be charged only to date of such payment. This amendment is issued pursuant to the authority of section 210, Title 38, United States Code.

Prepayment in full of mortgage loans must be accepted and credited to the loan account on the date received and no interest may be charged thereafter. This has been the policy and interpretation of this regulation for many years. This amendment is intended to clearly set forth this policy and regulation interpretation.

The last sentence of § 36.4310 is to be deleted as obsolete. The Administrator no longer has authority to make an initial 4 percent payment, and has not had such authority for many years.

Compliance with the provisions of § 1.12, Title 38, Code of Federal Regulations, as to notice of the proposed regulatory development, is not recommended. There is no change in the policy of this Administration nor in the interpretation of this regulation. The change in wording is merely to make clear this long established practice.

§ 36.4310 Prepayment.

The debtor shall have the right to prepay at any time, without premium or fee, the entire indebtedness or any part thereof not less than the amount of one installment, or $100, whichever is less. Any prepayment in full of the indebtedness shall be credited on the date received, and no interest may be charged thereafter. Any partial prepayment made on other than an installment due date need not be credited until the next following installment due date or 30 days after such prepayment, whichever is earlier. The holder and the debtor may agree at any time that any prepayment not previously applied in satisfaction of matured installments shall be reapplied for the purpose of curing or preventing any subsequent default.

Effective date.—This VA Regulation is effective September 10, 1973.

Approved September 10, 1973.

By direction of the Administrator.

[SEAL] RUFUS H. WILSON,
Associate Deputy Administrator.

[FR Doc.73-19571 Filed 9-13-73;8:45 am]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER C—AIR PROGRAMS

PART 50—NATIONAL PRIMARY AND SECONDARY AMBIENT AIR QUALITY STANDARDS

Sulfur Oxides

On April 30, 1971 (36 FR 8186), the Administrator of the Environmental Protection Agency promulgated as 40 CFR Part 410, national primary and secondary ambient air quality standards under section 109 of the Clean Air Act, as amended. These regulations were republished November 25, 1971, as 40 CFR Part 50. This notice revokes the annual secondary sulfur dioxide standard, announces a revision to *Air Quality Criteria for Sulfur Oxides*, and announces the conclusions from a reevaluation of the basis for the secondary three-hour average sulfur dioxide standard.

REVOCATION OF THE ANNUAL SECONDARY SO_2 STANDARD

On May 7, 1973 (38 FR 11355), a notice of proposed rulemaking to revoke the annual secondary standard was published.

Public comments were invited. Comments have been received from 23 organizations or individuals, and have been reviewed and considered prior to this rulemaking. EPA's reasons for revoking the annual secondary standard were set forth in the notice of proposed rulemaking and are further discussed herein.

The amendments set forth herein will revise 40 CFR Part 50.5 by revoking the annual National Secondary Ambient Air Quality Standard for Sulfur Dioxide which is 60 microwaves per cubic meter (0.02 p.p.m.). In addition, the amendments will delete from § 50.5 the maximum 24-hour concentrations of 260 micrograms per cubic meter (0.1 p.p.m.) published as a guide to be used in assessing implementation plans to achieve the annual standard. The secondary 3-hour standard, a maximum concentration of 1,300 micrograms per cubic meter (0.5 p.p.m.) not to be exceeded more than once per year, remains in effect.

Section 109 of the Clean Air Act requires the Administrator to establish national primary ambient air quality standards "to protect the public health" and national secondary ambient air quality standards "to protect the public welfare from any known or anticipated adverse effects." Section 302(h) defines effects as including, but not limited to, "effects on soils, water, crops, vegetation, man-made materials, animals, wildlife, weather, visibility, and climate, damage to and deterioration of property, and hazards to transportation, as well as effects on economic values and on personal comfort and well-being." Such national standards must be based on air quality criteria which, under section 108, must "reflect the latest scientific knowledge useful in indicating the kind and extent of all identifiable effects on public health and welfare which may be expected from the presence [of air pollutants] in the ambient air, in varying quantities." Thus, secondary national standards are necessarily limited to demonstrable or predictable adverse effects which can be quantitatively related to pollutant concentrations in the ambient air. Currently, injury to vegetation is the only type of welfare effect of sulfur dioxide that can be quantitatively related to ambient concentrations of this pollutant.

EPA is aware that sulfur dioxide has or may have effects on other sectors of the public welfare, such as materials, visibility, soils, and water. To some extent, the primary standards for sulfur dioxide and the remaining secondary standard mitigate such effects. Sufficient data are not now available, however, to establish a quantitative relationship between specific sulfur dioxide concentrations and such effects. Furthermore, it is not clear that any such effects, to the extent that they may occur at concentrations below the current national standards, are adverse to the public welfare.

As stated in the notice of proposed rulemaking, the annual secondary standard was based on a study by Linzon, which is discussed in Air Quality Criteria for Sulfur Oxides. A reanalysis of the data on which the annual standard was based indicated that it could not properly be concluded that the injury reported in Linzon's study resulted from the average sulfur dioxide concentration over a full year or even the six-month growing season, as distinguished from short-term peak concentrations.

After a review of the public comments that were received as part of this rulemaking, the Administrator has concluded that there still is not adequate information on which to base any long-term secondary standard for sulfur dioxide. The comments that were received in opposition to this rulemaking did not identify a specific annual average level of sulfur dioxide that could be directly related to an adverse effect on the public welfare.

Twenty-three letters of public comment were received. Eleven indicated support of EPA's action; nine indicated opposition. The remaining three stated no preference.

Opposition to revoking the annual standard was based, in part, on the contention that it should be retained to protect against corrosion of materials, visibility reduction, and occurrence of acid rain. A response to these particular comments follows:

1. Although EPA is aware that high long-term average concentrations of sulfur dioxide, accompanied by high levels of particulate matter, will increase the corrosion rate of some materials, there are not adequate data relating such corrosion to long-term sulfur dioxide levels below those now prescribed by the primary standards.

2. The quantitative relationship between sulfur dioxide and reduction in visibility is not presently known. There is evidence that particulate sulfate and sulfuric acid mist may act with other particulate matter to reduce visibility. Insufficient knowledge of factors such as humidity, and of the indirect role that sulfur dioxide itself plays in reducing visibility, makes the formulation of a sulfur dioxide standard based on visibility impracticable.

3. The mechanism of the formation of acid rain; the long-term effect of acidic moisture on plants, materials, and soils; and the concentrations of sulfur dioxide that can result in the formation of rain of sufficient acidity to be a danger to the environment currently are being investigated throughout the world. The data needed for standard-setting are not now available. Furthermore, it is not clear that acid rain would be a problem following attainment of the national primary standards for sulfur dioxide.

EPA will be pleased to receive, at any time, data which relate specific ambient air concentrations of sulfur dioxide to quantified effects such as the formation of acid rain, corrosion of materials, reduction in visibility, damage to vegetation, or any adverse change to the ecosystem. The relationships between the specific ambient air concentrations of sulfur dioxide, either alone or in combination with other environmental factors, and the adverse effects caused by those concentrations must be demonstrable or predictable prior to establishing any national secondary ambient air quality standard.

Two organizations, the Native American Rights Fund and the Natural Resources Defense Council, Inc., submitted particularly detailed comments in opposition to the proposed revocation. Their comments cited a number of studies of sulfur dioxide effects on vegetation, all well known to EPA. Neither the studies cited nor the comments made by the Natural Resources Defense Council and the Native American Rights Fund identified, nor provided a basis for identifying, long-term concentrations of sulfur dioxide, the attainment of which is necessary to protect against adverse effects. In addition, neither the studies nor the comments indicated that vegetation damage during the course of a year was the result of an annual average level rather than high short-term peak exposures to sulfur dioxide.

A number of the comments in opposition to revoking the annual secondary standard suggested revision of the primary standards to more stringent levels than are now prescribed. EPA is aware of the results of the studies which were cited in support of these comments. At the present time, however, it is unclear to what extent sulfur dioxide acts as a precursor to health effects more adverse than those now noted in the Air Quality Criteria for Sulfur Oxides.

This revocation does not affect the acceptability and enforceability of currently approved implementation plans. These plans are considered adequate and necessary to attain and maintain the remaining sulfur dioxide standards.

Revisions to Sulfur Oxides Criteria Document

Section 108(c) of the Clean Air Act as amended in 1970 provides that the Administrator will "from time to time review, and as appropriate, modify any criteria * * *." In keeping with this section of the Act, notice is given in this issue of the Federal Register of the publication of a revision to Chapter 5, "Effects of Sulfur Oxide in the Atmosphere on Vegetation," of Air Quality Criteria for Sulfur Oxides. This revision includes the results of a number of studies completed since initial publication of the Criteria Document in 1969, and also includes reanalysis of older data in the light of new information.

The revision has been reviewed by the National Air Quality Criteria Advisory Committee, composed of representatives from industry, universities, conservation groups, and all levels of government; by individuals specially selected for their competence, expertise, or special interest in the effects of air pollutants on vegetation; and by a Federal consultation committee, comprised of members from appropriate Federal departments and agencies.

At the present time, the Administrator judges that the revised vegetational portion of the Air Quality Criteria for Sulfur Oxides provides the only adequate basis for the secondary National Ambient Air Quality Standards for Sulfur Dioxide. More than 700 published scientific papers concerning vegetational response to exposure to sulfur dioxide were reviewed by the Environmental Protection Agency. From these papers, 141 were selected by EPA as presenting the most significant criteria information. These papers are referenced and cited in the revised criteria document.

The Administrator realizes there are limitations in the scientific knowledge of vegetational effects resulting from exposure to sulfur dioxide in combination with other ambient air pollutants. As an example, it is known that sulfur dioxide combined with other pollutants may cause visible injury on vegetation to occur at lower levels than if vegetation were exposed to sulfur dioxide alone. A few studies in the revised criteria document consider the combined effects, but most studies deal with single pollutant effects. Only interactions between sulfur dioxide and ozone, and sulfur dioxide and oxides of nitrogen, have been cited in the revised criteria document. The information on combined effects presented in the criteria document is not based on extensive studies. The results are from preliminary laboratory studies which point out some conflicting results requiring in-depth review. There are some cases where plants are apparently undamaged by pollutant mixtures although the sulfur dioxide level by itself would lead one to believe that damage would occur. The potential for damage at low concentrations of pollutant mixtures clearly exist; however, there is not at this time, in the judgment of the Administrator, adequate data on which to base a standard solely on the combined effects.

The revised vegetational criteria cite environmental factors which in some way influence the susceptibility of vegetation injury as the result of sulfur dioxide exposure. For example, vegetation is most easily injured when: (1) Adequate soil moisture for growth is present, (2) humidity is high, (3) temperatures are above 40° F., (4) the vegetation is actively growing, and (5) sunlight is present. Environmental factors such as these are interrelated and no study has been located to date which succeeds in adequately isolating the relative importance of each.

Those studies which exist in the revised criteria document concerning vegetational harm in the entire growing season do not adequately indicate whether the observed injury was caused by a long-term exposure to low levels of sulfur dioxide or by high exposures of sulfur dioxide which occurred during shorter time periods. In the absence of such information, the Administrator has determined that proposing a standard based on growing season exposures to sulfur dioxide is not warranted at this time.

Laboratory, field-chamber, and ambient air studies are cited in the revised criteria. Laboratory and field chamber studies tend to be artificial by design and never completely simulate ambient air conditions. The intent of most laboratory and field chamber studies is to discover the effects resulting from direct exposure to the pollutants without the interference of numerous environmental parameters including other pollutants. As a result, laboratory and field chamber studies tend to either overrestrict a number of environmental conditions which might make vegetation more sensitive, or condition the vegetation to be much more sensitive than would be found under natural conditions. For example, natural environmental conditions such as excess moisture and sunlight, which influence the sensitivity of plants, together with the random interactions with other pollutants, may cause injury to occur at lower ambient air concentrations of sulfur dioxide than those reported in laboratory or chamber studies where such conditions are absent. In ambient air studies, a single pollutant and its effects are difficult to isolate from similar effects caused by sensitive environmental conditions or other pollutants. However, if ambient air studies are complemented by laboratory and field chamber studies, effects can be better related to the pollutant.

The Environmental Protection Agency is well aware that sulfur dioxide has effects on non-vegetational sectors of the public welfare such as materials, visibility, odor, taste, and the acidification of rain. However, the current National Secondary Ambient Air Quality Standard is not intended to protect these sectors of the public welfare from long-term effects of SO_2 because either protection is afforded by the existing National Annual Primary Ambient Air Quality Standard (80 micrograms per cubic meter) or sufficient data are not presently available to develop criteria for standards based on these effects.

The Environmental Protection Agency is continuing to conduct research on the long-term effects of sulfur dioxide exposure. During the period of prolonged research, however, the Administrator invites any relevant comment on the existence of scientifically recognized sulfur dioxide effects information which provides a quantitative basis for a long-term National Secondary Ambient Air Quality Standard. Data are especially desired which can relate specific ambient air concentrations of sulfur dioxide to quantified effects in such areas as the formation of acid rain, corrosion of materials, reduction in visibility, or any adverse change to the ecosystem.

As an example of nonvegetation effects, it is known that high annual concentrations of sulfur dioxide accompanied by high particulate levels will increase the corrosion rate of some materials. The Environmental Protection Agency has inadequate data with which to relate the effects of corrosion to long-term ambient air sulfur dioxide levels which are below those now prescribed by the primary standards.

The direct quantitative relationship between sulfur dioxide and reduction in visibility is not presently known. There is evidence that particulate sulfate and sulfuric acid mist may act with other particulate matter to reduce visibility; however, insufficient knowledge of the effects of environmental factors such as humidity, and of the indirect role that sulfur dioxide itself plays in reducing visibility, make a standard based on visibility impossible to propose at this time.

In the case of acidification of rain, the mechanism of the acid rain formation; the long-term effects of acidic moisture on plants, materials, and soils; and the concentrations of sulfur dioxide which can result in the formation of rain of sufficient acidity to be an danger to the environment are not fully understood by the Environmental Protection Agency at this time. The Administrator solicits any additional information concerning these, or any other currently unquantified, effects of sulfur oxides in the ambient air.

Reevaluation of the Three-Hour SO_2 Standard

In the May 7, 1973 proposal to revoke the annual secondary standard, it was stated that "there is some question as to whether * * * injury to vegetation may result from short-term exposure to SO_2 concentrations which do not exceed the three-hour standard * * *." The Environmental Protection Agency has evaluated the additional data as presented in the revised criteria document, and has determined that this data does not provide an adequate and appropriate basis for revision of the existing three-hour standard.

The revised criteria document presents the results of studies which indicate that visible injury to some types of vegetation (minor leaf spotting) can result from short-term concentrations of SO_2 which do not exceed the current standards. Evidence of this visible injury has occurred on generally sensitive vegetation grown under environmental conditions which tend to favor maximum sensitivity. However, the Clean Air Act requires that secondary standards be established to protect the public welfare from adverse effects. The Administrator has given careful consideration to the question of whether this degree of injury can be responsibly defined as an adverse effect within the meaning of the Clean Air Act. After consultation with other agencies and individuals, including the United States Department of Agriculture, the Administrator has determined that, in his judgment, standards developed solely to protect against minor visible injury are not necessarily requisite to protect the public welfare from adverse effects.

The data presented in the revised criteria document also provide additional information regarding the levels of SO_2

concentration which can cause growth retardation or yield reduction of vegetation. These data provide adequate evidence that the current secondary standard (1,300 ug/m³ maximum three-hour concentration) is adequate and necessary to protect the public welfare from these adverse effects.

The Administrator recognizes, and has considered, the opinion that national standards should be established to protect against all effects of air pollutants, rather than only adverse effects. However, this opinion is inconsistent with the language of the Clean Air Act which requires protection against adverse effects, and also fails to accommodate the fact that, for some pollutants, the concentration levels which result in perceptible effects may be dependent upon available measurement and observation techniques, i.e., as research techniques improve, the level at which "effects" become perceptible becomes progressively lower, even though the level at which these effects become adverse remains relatively constant.

Several States have been granted an extension of time pursuant to section 110 (b) for submittal of State plans for implementation of the secondary sulfur dioxide standards, and in some cases submittal of these plans has been delayed pending results of EPA's reevaluation of the standards. That reevaluation is now complete, with results as reported herein and in the revised criteria document. The Administrator therefore expects that all State plans for implementation of the sulfur dioxide standards will be submitted within four months from date of this notice.

This notice of rulemaking is issued under authority of sections 109 and 301 of the Clean Air Act (42 U.S.C. 1857c-4 and 1857g).

Dated September 6, 1973.

JOHN R. QUARLES, Jr.,
Acting Administrator,
Environmental Protection Agency.

Part 50, Title 40, Code of Federal Regulations is amended by revising § 50.5 as follows:

§ 50.5 National Secondary Ambient Air Quality Standards for Sulfur Oxides (Sulfur Dioxide).

The National Secondary Ambient Air Quality Standard for sulfur oxide measured as sulfur dioxide by the reference method described in Appendix A to this part, or by any equivalent method is 1,300 micrograms per cubic meter (0.5 p.p.m.) maximum 3-hour concentration not to be exceeded more than once per year.

[FR Doc.73-19295 Filed 9-13-73;8:45 am]

PART 126—AREAWIDE WASTE TREATMENT MANAGEMENT PLANNING AREAS AND RESPONSIBLE PLANNING AGENCIES

On May 30, 1973, notice was published in the FEDERAL REGISTER, 38 FR 14230, that the Environmental Protection Agency was proposing policies and procedures for the designation of areawide waste treatment management pursuant to section 208(a) of the Federal Water Pollution Control Act Amendments of 1972 (86 Stat. 816 (33 U.S.C. 1251, 1288 (a)(1)))

The regulations are designed to serve as guides for the Governors of the States and chief elected officials of general purpose local government in identifying areas which, as a result of urban-industrial concentrations or other factors, have substantial water quality control problems which require an areawide approach in planning for and implementing corrective action, and in designating agencies capable of developing waste treatment management plans for such areas.

In view of the intent of the legislation, the Environmental Protection Agency believes that an areawide water quality management program should be carried out to gain the following objectives:

Provide cost effective, point source treatment and control for areas of urban-industrial concentrations having substantial water quality control problems.

Provide for control of nonpoint sources in urban-industrial and other areas where such controls are required including prevention of water quality problems in the future.

Provide for coordinated waste treatment management in such areas.

Written comments on the proposed rulemaking were invited and received from interested parties. A number of verbal comments also were received. The Environmental Protection Agency has carefully considered all submitted comments. All written comments are on file with the Agency. Certain of these comments have been adopted or substantially satisfied by editorial change, deletions from, or additions to the regulations. These changes are discussed below.

(a) A substantial water quality control problem was further defined to indicate that the problem exists where water quality has been degraded to the extent that desired uses are impaired or precluded. The identification of water quality segments under 40 CFR Part 130 or groundwater pollution problems are measures of the extent of the problem.

(b) The definition of local units of government that may respond to indicate intent to join together in the planning process now includes both general purpose and other appropriate units of local government. (See § 126.10(c).)

(c) The criteria for designation of a planning agency now includes the consideration of an existing agency's capability for implementing the plan or having the plan implemented. (See § 126-11(b).).

(d) The requirements for the submission of information on 208 planning areas and agencies have been revised to require a statement relating the boundaries of the area to the SMSA but not to require conformance to SMSA boundaries. (See § 126.15.)

(e) The Governor's right to nondesignate in intrastate areas only is clarified. (See § 126.16.)

(f) Where 208 planning area and agency designations are made by local public officials, the Governor's views on these designations may be made to the Administrator.

(g) The Administrator's approval or disapproval actions of areas and agencies will be published in the FEDERAL REGISTER. (See § 126.17.)

(h) The requirements for public participation as set forth in 40 CFR, Part 105 shall be followed.

Effective date.—September 14, 1973.

Because of the importance of promptly making known to States, local units of government and other interests the contents of these regulations in order that area and agency designations may be made under section 208(a) of the Act, the Administrator finds good cause to declare the regulations effective on September 14, 1973.

Dated September 4, 1973.

JOHN QUARLES,
Acting Administrator.

Subpart A—Scope and Purpose; Definitions

Sec.
126.1 Scope and Purpose.
126.2 Definitions.

Subpart B—Procedures for Designation of 208 Planning Areas and Agencies Responsible for Planning

126.10 Criteria for determination of 208 planning areas.
126.11 Criteria for designation of agencies responsible for planning.
126.12 Procedure for designation of intrastate 208 planning areas and agencies responsible for planning.
126.13 Procedure for designation of interstate 208 planning areas and agencies responsible for planning.
126.14 Nondesignation of 208 planning areas and/or agencies by Governor(s).
126.15 Submissions of 208 planning areas and agencies responsible for planning.
126.16 Procedure for designation of 208 planning areas and agencies responsible for planning by the chief elected officials of general purpose local government.
126.17 Review of submissions.
126.18 Revisions.

Subpart C—State Planning in Nondesignated Areas

126.20 Determination of planning agencies in nondesignated areas.

Subpart D—Public Participation

126.30 Public participation requirements in designation of 208 planning areas and designation of agencies responsible for planning.

Subpart E—Assistance to Designated Agencies

126.40 Determination of eligibility.

AUTHORITY.—Sec. 208 and 501, 86 Stat., 816, (33 U.S.C. 1251, 1288(a)(1)).

Subpart A—Scope and Purpose; Definitions

§ 126.1 Scope and purpose.

This part establishes regulations specifying procedural and other elements and criteria for the use of State Governors and chief elected officials of general purpose local government in the designation of the areas, including their