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full well that most States were in the process of developing their lists and scheduling public hearings. As the Administrator's own rulemaking process carried forward, substantial confusion and duplication of effort would ensue. Such confusion could hinder full public participation in the formulation of the list of potential problem areas. Also, several States had requested that the Administrator extend the date for submittal of problem area identification so that the States could prepare the material more thoroughly and provide for more extensive public involvement.

Consequently, the Administrator decided to extend:

(a) the date for State submission of the identification of potential problem areas from March 18, 1974, to May 10, 1974; and

(b) the date for EPA publication of the list of potential problem areas, as based upon material submitted by the States from June 18, 1974, to August 16, 1974.

This action is anticipated to result in approximately 30 to 40 States being able to hold hearings on and submit area identification material by the revised deadline. The action below effects these extensions.

These amendments are being promulgated in final form without having first been proposed and subjected to public comment. The Administrator has found that the procedure of proposal and entertainment of public comment would be impracticable in this situation since States must be able to rely upon the new time schedule immediately. It should be stressed that the date required for submittal of the analysis of the impact on air quality of projected growth and 10-year maintenance plan in these areas remains the same—June 18, 1975. In order to avoid confusion, § 51.12(g) is also being amended to specify this June 18, 1975, date for submission, rather than implying it by requiring submission 24 months from the date of promulgation of the above-cited revisions to 40 CFR 51.12 on June 18, 1973.

(Secs. 110, 301(a), Clean Air Act, as amended 42 U.S.C. 1857c-5, 1857g(a))

Dated: May 2, 1974.

JOHN QUARLES,
Acting Administrator.

In § 51.12 of 40 CFR, Part 51, paragraphs (e) (2), (f) and (g) are revised to read as follows:

§ 51.12 Control strategy: General.

* * * * *

(e) (2) The area identification and description of method and timing required by this paragraph shall be submitted no later than May 10, 1974.

* * * * *

(f) Based on the information submitted by the State pursuant to paragraph (e) of this section, the Administrator will publish by August 16, 1974, a list of the areas which shall be subject to the requirements of paragraph (g) of this section.

(g) For each area identified by the Administrator pursuant to paragraph (f) of this section, the State shall submit, no later than June 18, 1975, the following:

(1) An analysis of the impact on air quality of projected growth and development over the 10-year period from the date of submittal.

(2) A plan to prevent any national standards from being exceeded over the 10-year period from the date of plan submittal. Such plan shall include, as necessary, control strategy revisions and/or other measures to insure that projected growth and development will be compatible with maintenance of the national standards throughout such 10-year period. Such plan shall be subject to the provisions of § 51.6.

* * * * *
[FR Doc.74-10589 Filed 5-7-74; 8:45 am]

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Final Reclassification of Air Quality Control Regions

On June 8, 1973 (38 FR 15180), the Administrator of the Environmental Protection Agency (EPA) proposed that 43 of the 47 air quality control regions that were originally classified priority I for nitrogen dioxide be reclassified priority III and retain the priority I classification in Los Angeles, Chicago, New Jersey-New York-Connecticut and Wasatch Front. Because there are conflicting data on nitrogen dioxide levels in New Jersey-New York-Connecticut and Wasatch Front, implementation of nitrogen dioxide control measures would not be required at this time.

In addition, based on the proposed reclassification, the Administrator also proposed the following actions with respect to State implementation plans:

1. Revoke his previous disapproval of nitrogen oxides control strategy with respect to the State implementation plans for the air quality control regions listed in Table 4 (June 8, 1973, 38 FR 15180) and withdraw regulations proposed by EPA dealing with control of stationary source emissions of nitrogen dioxide in these AQCR's.

2. Eliminate the requirement that the State of California's transportation control strategy for the San Francisco AQCR provide for attainment of the national standard for nitrogen dioxide; this AQCR is among those to be reclassified priority III. The transportation control strategy for this AQCR still will have to provide for attainment and maintenance of the national standards for carbon monoxide and photochemical oxidants.

3. As appropriate, alter the attainment date tables in notices of EPA action on State plans at 40 CFR Part 52 to indicate that nitrogen dioxide levels are already within the national standard.

Where States have adopted, and EPA has approved, regulations calling for control of nitrogen oxides emissions from stationary sources in AQCR's which would be reclassified from priority I to

priority III, EPA will entertain State requests for implementation plan revisions that would rescind such regulations. Such revisions would have to be made in accordance with 40 CFR 51.6.

The Administrator also discussed the re-evaluation of the reference method for measuring nitrogen dioxide which was presented elsewhere in the FEDERAL REGISTER in more detail (38 FR 15174) and the question of validity of the current national air quality standard for nitrogen dioxide.

Sixteen separate comments were received on the proposed reclassification of regions for nitrogen dioxide. Six were from conservation groups or concerned citizens, 4 from state and local agencies, 3 from utility companies, 2 from industry and one from a Federal agency. In consideration of these and other comments, the proposed reclassification has been modified.

Seven comments concurred with EPA proposed actions; however, all but one provided additional comments on the ambient air quality standard or other related matters, 2 comments believed that the reclassification was premature, 2 comments proposed that Baltimore remain priority I, one comment proposed that Metropolitan Providence also remain priority I, 2 comments discussed the role of NO_x in the formation of oxidants, 1 comment suggested that the air quality standard is inconsistent with the concentration used by the Army Corps of Engineers and one comment suggested that an error has been made in publication of the proposal.

The suggested error in the proposal was concerning the classification of the Southeastern Wisconsin Intrastate Region. The region was originally classified priority I for NO_x and should be reclassified priority III. The proposal reflected this action.

The comment suggesting that the national standard is inconsistent with the one used by the Army Corps of Engineers has confused the units for the two concentrations in question. The Corps of Engineers' concentrations are in milligrams per cubic meter while those of EPA are in micrograms per cubic meter.

Comments concerning the role that NO_x plays in the formation of oxidants were addressed in the June 5, 1973, proposal (38 FR 14762) concerned with EPA's proposed action on nitrogen dioxide control strategy. The Agency is currently pursuing further studies to determine the relationship between hydrocarbons and nitrogen dioxide and to better define the role of NO_x in the formation of oxidants.

Three comments from utility companies agreed with EPA's proposed reclassification and requested EPA to encourage states to withdraw regulations dealing with the control of NO_x from stationary sources. However, there was concern over the growth and emission factors that were utilized in the analysis which formed the basis of the interim motor vehicle emission standard. Four

other comments agreed with EPA's proposed action and submitted additional information concerning the national ambient air quality standard.

The information concerning the growth and emission factors utilized in the analysis of the motor vehicle emission standards will be further reviewed and considered as EPA formulates its position on the current motor vehicle emission standard for nitrogen oxides.

Among the comments received concerning the validity of the ambient air quality standard for nitrogen dioxide, opinion varied widely, from those who stated that the nitrogen dioxide standard should be rescinded pending accumulation of additional health effects data to those who judged that the present national standard provided a minimum margin of safety to public health and that extreme caution should be exercised in recommending a less stringent motor vehicle emission standard for nitrogen oxides. These comments will be considered in the continuing work of the Agency to evaluate its current ambient air quality standards and assist in the development of future standards. Further health studies designed to obtain additional data have been instituted and an orderly review of the health effects of nitrogen oxides exposures has been scheduled with the National Academy of Sciences.

Two comments believed EPA's proposed reclassification was premature and that the final action on reclassification should be postponed until more data and health studies are available. EPA is continuing to collect air quality data for nitrogen dioxide along with many State and local agencies. In addition, as mentioned previously, the Agency has initiated additional studies of the health effects of nitrogen dioxide. This data will continue to be analyzed and if for any reason the data would indicate that a change should be made, the Agency will see that the appropriate action is taken.

Three comments indicated that the Agency's proposed reclassification for NO_x for two AQCR's is incorrect. Two commentators believe that the Metropolitan Baltimore Region should remain priority I based upon recent data, using the Saltzman method, which indicates that the annual arithmetic mean for NO_x from June 1972-July 1973 was 130 µg/m³. The Saltzman data for 1972 was 109 µg/m³. Also, one commentator believes that Metropolitan Providence should also remain priority I based on the Federal reference method data of 203 µg/m³. However, EPA has declared the former reference method to be invalid. Additionally, all data obtained for Providence using the candidate methods show that levels are below the national standard and that Providence should be reclassified priority III.

Therefore, based upon the above comments, the air quality data presented in Tables 1 and 2 (38 FR 15180) and additional air quality data for the Baltimore AQCR, the proposed reclassification has been modified.

In light of the error in the reference measurement methodology used to determine nitrogen dioxide levels in the ambient air, the Agency has performed an analysis of the nitrogen dioxide standard for light duty vehicles. In formulating the Agency's position on the motor vehicle standards, growth in nitrogen oxides emissions under a variety of automotive control assumptions were projected and a preliminary review indicates that the motor vehicle standard for nitrogen oxides can be revised.

Wherever all the available data indicate that nitrogen dioxide concentrations were below the priority I cutoff point of 110 micrograms per cubic meter (annual arithmetic mean), EPA is reclassifying those regions to priority III. Thus, 42 AQCR's would be reclassified. The Los Angeles and Chicago AQCR's are the only ones where data from all three candidate methods show nitrogen dioxide concentrations exceeding 110 micrograms. They would remain priority I. In the New Jersey-New York-Connecticut, Wasatch Front (Salt Lake City), Metropolitan Baltimore AQCR's (originally priority I) and Denver AQCR (originally priority III), arsenite data show concentrations below the cutoff point, but chemiluminescence and/or Saltzman data show concentrations above 110 µg/m. Priority classifications for these four AQCR's would not be changed until more conclusive data are available; however, because the need for implementation of nitrogen oxides control measures in these AQCR's is uncertain, States would not be required to take action at this time to reduce NO_x emissions.

Based on the final reclassification, the Administrator is also finalizing the following actions with respect to State implementation plans:

TABLE 1.—Air quality control regions affected by proposed revision of NO_x control strategy disapproval and proposed termination of EPA rulemaking

AQCR No.	AQCR name	Affected States
015	Phoenix-Tucson.....	Arizona.
042	Hartford-New Haven-Springfield.....	Massachusetts.
045	Philadelphia.....	Pennsylvania and New Jersey.
070	St. Louis.....	Missouri.
085	Omaha-Council Bluffs.....	Nebraska.
123	Detroit-Fort Huron.....	Michigan.
161	Northeast Pennsylvania-Upper Delaware Valley.....	Pennsylvania-New Jersey.
169	Genesee-Finger Lakes.....	New York.
162	Niagara Frontier.....	Do.
195	Central Pennsylvania.....	Pennsylvania.
196	South Central Pennsylvania.....	Do.
197	Southwest Pennsylvania.....	Do.
214	Corpus Christi-Victoria.....	Texas.
215	Dallas-Fort Worth.....	Do.
216	Houston-Galveston.....	Do.
223	Hampton Roads.....	Virginia.
225	State Capital.....	Do.

1. Revoke his previous disapproval of nitrogen oxides control strategy with respect to the State implementation plans for the 17 air quality control regions listed in Table 1 and withdraw proposed regulations dealing with control of stationary source emissions of nitrogen oxides in these AQCR's.

2. Eliminate the requirement that the State of California's transportation control strategy for the San Francisco AQCR provide for attainment of the national standard for nitrogen dioxide; this AQCR is among those to be reclassified priority III. The transportation control strategy for this AQCR still will have to provide for attainment of the national standards for carbon monoxide and photochemical oxidants.

3. Retain his disapprovals of nitrogen oxides control strategies for New Jersey-New York-Connecticut, Wasatch Front, and the Metropolitan Baltimore Regions and hold in abeyance his proposed regulations until the final decision can be made on the classification of these regions.

4. As appropriate, alter the attainment date tables in notices of EPA action on State plans at 40 CFR Part 52 to indicate that nitrogen dioxide levels are already within the national standard.

5. Within four months from the date of publication of the revised requirements of 40 CFR 51.14 (published elsewhere in this issue of the FEDERAL REGISTER), the State of Illinois must submit a demonstration to the Administrator that the present approved control strategy for the Metropolitan Chicago AQCR is adequate to attain and maintain the national standard for nitrogen oxides. With respect to the Los Angeles AQCR, EPA previously disapproved California's control strategy for nitrogen oxides, carbon monoxide and photochemical oxidants, and promulgated a transportation control plan. On February 6, 1974, the State of California submitted a plan revision for Los Angeles which provides for a transportation control plan and a control strategy for nitrogen oxides. EPA is presently reviewing the plan to determine its adequacy in fulfilling the requirements of the revised § 51.14 to demonstrate the attainment and maintenance of the nitrogen oxide standard for Los Angeles.

Where States have adopted, and EPA has approved, regulations calling for control of nitrogen oxides emissions from stationary sources in AQCR's which would be reclassified priority III, EPA will entertain State requests for implementation plan revisions that would rescind such regulations. Such revisions would have to be made in accordance with 40 CFR 51.6. However, before such a request is submitted, States should review the necessity of stationary sources control to maintain the national standards for nitrogen oxides.

The regulations promulgated below shall take effect on June 7, 1973.

(42 U.S.C. 1857c-5)

Dated: April 30, 1974.

RUSSELL E. TRAIN,
Administrator.

Subpart B—Alabama

1. In § 52.54, the attainment date table is revised by replacing the letter "a", which designates the date for attainment of the national standard for nitrogen

dioxide in the Metropolitan Birmingham Intrastate Region, with the letter "d".

Subpart D—Arizona

2. In § 52.121, the table is revised by changing the classifications for nitrogen dioxide in the Clark-Mohave Interstate and Phoenix-Tucson Intrastate Regions from "I" to "III", and in the Four Corners Interstate Region from "IA" to "III".

3. Section 52.127 is revoked.

4. In § 52.131, the attainment date table is revised by replacing the letter "a", which designates the date for attainment of the national standard for nitrogen dioxide in the Phoenix-Tucson Intrastate Region, with the letter "c".

Subpart E—Arkansas

5. In § 52.171, the table is revised by changing the classification for nitrogen dioxide in the Metropolitan Memphis Interstate Region from "I" to "III".

6. In § 52.176, the attainment date table is revised by replacing the letter "a", which designates the date for attainment of the national standard for nitrogen dioxide in the Metropolitan Memphis Interstate Region, with the letter "c".

Subpart F—California

7. In § 52.221, the table is revised by changing the classifications for nitrogen dioxide in the San Francisco Bay Area and the San Diego Intrastate Regions from "I" to "III".

Subpart G—Colorado

8. In § 52.321, the table is revised by changing the classification for nitrogen dioxide in the Four Corners Interstate Region from "IA" to "III".

9. In § 52.325, the attainment date table is revised by replacing the letter "a", which designates the date for attainment of the national standard for nitrogen dioxide in the Four Corners Interstate Region, with the letter "d".

Subpart H—Connecticut

10. In § 52.371, the table is revised by changing the classification for nitrogen dioxide in the Hartford-New Haven-Springfield Interstate Region from "I" to "III".

11. In § 52.374, the attainment date table is revised by replacing the date "June 1975" for attainment of the national standard for nitrogen dioxide in the Hartford-New Haven-Springfield Interstate Region with the letter "c".

Subpart I—Delaware

12. In § 52.421, the table is revised by changing the classification for nitrogen dioxide in the Metropolitan Philadelphia Interstate Region from "I" to "III".

13. In § 52.428, the attainment date table is revised by replacing the date "January 1974" for attainment of the national standard for nitrogen dioxide in the Metropolitan Philadelphia Interstate Region with the letter "a".

Subpart J—District of Columbia

14. In § 52.471, the table is revised by changing the classification for nitrogen

dioxide in the National Capital Interstate Region from "I" to "III".

15. In § 52.481, the attainment date table is revised by replacing the date "July 1975" for attainment of the national standard for nitrogen dioxide in the National Capital Interstate Region with the letter "c" and by adding footnote "c" to read as follows:

c. Air quality levels presently below secondary standard.

Subpart K—Florida

16. In § 52.521, the table is revised by changing the classifications for nitrogen dioxide in the West Central Florida and Southeast Florida Intrastate Regions from "I" to "III".

17. In § 52.523, the attainment date table is revised by replacing the letter "a", which designates the date for attainment of the national standard for nitrogen dioxide in the West Central Florida and the Southeast Florida Intrastate Regions, with the letter "c".

Subpart L—Georgia

18. In § 52.571, the table is revised by changing the classifications for nitrogen dioxide in the Metropolitan Atlanta Intrastate and Chattanooga Interstate Regions from "I" to "III".

19. In § 52.575, the attainment date table is revised by replacing the letter "a", which designates the date for attainment of the national standard for nitrogen dioxide in the Metropolitan Atlanta Intrastate and the Chattanooga Interstate Regions, with the letter "c".

Subpart O—Illinois

20. In § 52.721, the table is revised by changing the classifications for nitrogen dioxide in the Metropolitan St. Louis (Missouri-Illinois) Interstate Region from "I" to "III", and the Metropolitan Dubuque Interstate Region from "IA" to "III".

21. In § 52.727, the attainment date table is revised by replacing the date "July 1975" for attainment of the national standard for nitrogen dioxide in the Metropolitan Dubuque and the Metropolitan St. Louis (Missouri-Illinois) Interstate Regions with the letter "c".

Subpart P—Indiana

22. In § 52.771, the table is revised by changing the classifications for nitrogen dioxide in the Louisville and the Metropolitan Cincinnati Interstate Regions and the Metropolitan Indianapolis Intrastate Region from "I" to "III".

23. In § 52.783, the attainment date table is revised by replacing the letter "a", which designates the date for attainment of the national standard for nitrogen dioxide in the Louisville and the Metropolitan Cincinnati Interstate Regions and in the Metropolitan Indianapolis Intrastate Region, with the letter "e".

Subpart Q—Iowa

24. In § 52.821, the table is revised by changing the classifications for nitrogen dioxide in the Metropolitan Omaha-Council Bluffs and from "I" to "III" and in the Metropolitan Dubuque Interstate Regions from "IA" to "III".

25. In § 52.827, the attainment date table is revised by replacing the letter "a", which designates the date for attainment of the national standard for nitrogen dioxide in the Metropolitan Omaha-Council Bluffs and the Metropolitan Dubuque Interstate Regions, with the letter "c".

Subpart S—Kentucky

26. In § 52.921, the table is revised by changing the classifications for nitrogen dioxide in the Louisville and Metropolitan Cincinnati Interstate Regions from "I" to "III".

27. In § 52.926, the attainment date table is revised by replacing the letter "a", which designates the date for attainment of the national standard for nitrogen dioxide in the Louisville and the Metropolitan Cincinnati Interstate Regions, with the letter "c".

Subpart V—Maryland

28. In § 52.1071, the table is revised by changing the classifications for nitrogen dioxide in the Metropolitan Baltimore Intrastate and National Capital Interstate Regions from "I" to "III".

29. Section 52.1075 is revoked.

30. In § 52.1078, the attainment date table is revised by replacing the letter "a", which designates the date for attainment of the national standard for nitrogen dioxide in the Metropolitan Baltimore Intrastate and the National Capital Interstate Regions, with the letter "d".

Subpart W—Massachusetts

31. In § 52.1121, the table is revised by changing the classifications for nitrogen dioxide in the Metropolitan Boston and Central Massachusetts Intrastate Regions and the Metropolitan Providence and Hartford-New Haven-Springfield Interstate Regions from "I" to "III".

32. Section 52.1124 is revoked.

33. In § 52.1127, the attainment date table is revised by replacing "a" for attainment of the national standard for nitrogen dioxide in the Metropolitan Boston and the Central Massachusetts Intrastate Regions and the Hartford-New Haven-Springfield Interstate Region with the letter "e".

Subpart X—Michigan

34. In § 52.1171, the table is revised by changing the classifications for nitrogen dioxide in the Metropolitan Detroit-Port Huron and Central Michigan Intrastate Regions and the Metropolitan Toledo Interstate Region from "I" to "III".

35. Section 52.1174 is revoked.

36. In § 52.1177, the attainment date table is revised by replacing the letter "a", which designates the date for attainment of the national standard for nitrogen dioxide in the Metropolitan Detroit-Port Huron and the Central Michigan Intrastate Regions and in the Metropolitan Toledo Interstate Region, with the letter "c".

Subpart Y—Minnesota

37. In § 52.1221, the table is revised by changing the classification for nitrogen dioxide in the Minneapolis-St. Paul Intrastate Region from "I" to "III".

38. In § 52.1226, the attainment date table is revised by replacing the letter "a", which designates the date for attainment of the national standard for nitrogen dioxide in the Minneapolis-St. Paul Intrastate Region, with the letter "d".

Subpart Z—Mississippi

39. In § 52.1271, the table is revised by changing the classification for nitrogen dioxide in the Metropolitan Memphis Interstate Region from "I" to "III".

40. In § 52.1273, the attainment date table is revised by replacing the date "June 1975" for attainment of the national standard for nitrogen dioxide in the Metropolitan Memphis Interstate Region with the letter "b".

Subpart AA—Missouri

41. In § 52.1321, the table is revised by changing the classification for nitrogen dioxide in the Metropolitan St. Louis Interstate Region from "I" to "III".

42. Section 52.1326 is revoked.

43. In § 52.1332, the attainment date table is revised by replacing the letter "a", which designates the date for attainment of the national standard for nitrogen dioxide in the Metropolitan St. Louis Interstate Region, with the letter "c".

Subpart CC—Nebraska

44. In § 52.1421, the table is revised by changing the classification for nitrogen dioxide in the Metropolitan Omaha-Council Bluffs Interstate Region from "I" to "III".

45. In § 52.1431, the attainment date table is revised by replacing the letter "a", which designates the date for attainment of the national standard for nitrogen dioxide in the Metropolitan Omaha-Council Bluffs Interstate Region, with the letter "c".

46. Section 52.1433 is revoked.

Subpart DD—Nevada

47. In § 52.1471, the table is revised by changing the classification for nitrogen dioxide in the Clark-Mohave Interstate Region from "I" to "III".

Subpart FF—New Jersey

48. In § 52.1571, the table is revised by changing the classifications for nitrogen dioxide in the Metropolitan Philadelphia and Northeast Pennsylvania-Upper Delaware Valley Interstate Regions from "I" to "III".

49. Section 52.1576 is revised to delete the references to the Metropolitan Philadelphia and Northeast Pennsylvania-Upper Delaware Valley Interstate Regions.

50. In § 52.1580, the attainment date table is revised by replacing the letter "a", which designates the date for attainment of the national standard for nitrogen dioxide in the New Jersey-New York-Connecticut region with the letter "a".

Subpart GG—New Mexico

51. In § 52.1621, the table is revised by changing the classification for nitrogen

dioxide in the Four Corners Interstate Region from "IA" to "III".

Subpart HH—New York

52. In § 52.1671, the table is revised by changing the classifications for nitrogen dioxide in the Niagara Frontier and Genesee-Finger Lakes Intrastate Regions from "I" to "III".

53. Section 52.1676 is revised to delete any reference to the Niagara Frontier and Genesee-Finger Lakes Intrastate Regions.

54. In § 52.1682, the attainment date table is revised by replacing the letter "a" for attainment of the national standard for nitrogen dioxide in the Niagara Frontier and the Genesee-Finger Lakes Intrastate Regions with the letter "e".

Subpart KK—Ohio

55. In § 52.1871, the table is revised by changing the classifications for nitrogen dioxide in the Greater Metropolitan Cleveland, Metropolitan Columbus and the Metropolitan Dayton Intrastate Regions and the Metropolitan Cincinnati and Metropolitan Toledo Interstate Regions from "I" to "III".

56. In § 52.1875, the attainment date table is revised by replacing the letter "a", which designates the date for attainment of the national standard for nitrogen dioxide in the greater Metropolitan Cleveland, Metropolitan Columbus, and the Metropolitan Dayton Intrastate Regions and in the Metropolitan Cincinnati and the Metropolitan Toledo Interstate Regions, with the letter "e".

Subpart MM—Oregon

57. In § 52.1973, the attainment date table is revised by replacing the date "May, 1975" for attainment of the national standard for nitrogen dioxide in the Portland Interstate Region with the letter "b".

Subpart NN—Pennsylvania

58. In § 52.2021, the table is revised by changing the classifications for nitrogen dioxide in the Metropolitan Philadelphia and Northeast Pennsylvania-Upper Delaware Valley Interstate Regions and in the South Central Pennsylvania, Central Pennsylvania and the Southwest Pennsylvania Intrastate Regions from "I" to "III".

59. Section 52.2027 is revoked.

60. In § 52.2034, the attainment date table is revised by replacing the letter "a", which designates the date for attainment of the national standard for nitrogen dioxide in the Metropolitan Philadelphia and the Northeast Pennsylvania Upper Delaware Valley Interstate Regions and in the South Central Pennsylvania, Central Pennsylvania and the Southwest Pennsylvania Intrastate Regions, with the letter "e".

Subpart OO—Rhode Island

61. In § 52.2071, the table is revised by changing the classification for nitrogen dioxide in the Metropolitan Providence Interstate Region from "I" to "III".

62. In § 52.2076, the attainment date table is revised by replacing the letter "a", which designates the date for attainment of the national standard for nitrogen dioxide in the Metropolitan Providence Interstate Region, with the letter "b".

Subpart RR—Tennessee

63. In § 52.2221, the table is revised by changing the classifications for nitrogen dioxide in the Chattanooga and Metropolitan Memphis Interstate Regions from "I" to "III".

64. In § 52.2230, the attainment date table is revised by replacing the letter "a", which designates the date for attainment of the national standard for nitrogen dioxide in the Chattanooga and the Metropolitan Memphis Interstate Regions, with the letter "c".

Subpart SS—Texas

65. In § 52.2271, the table is revised by changing the classifications for nitrogen dioxide in the Corpus Christi-Victoria, Metropolitan Houston-Galveston and the Metropolitan Dallas-Fort Worth Intrastate Regions from "I" to "III".

66. Section 52.2276 is revoked.

67. In § 52.2279, the attainment date table is revised by replacing the date July, 1975, which designates the date for attainment of the national standard for nitrogen dioxide in the Corpus Christi-Victoria, Metropolitan Houston-Galveston, and the Metropolitan Dallas-Fort Worth Intrastate Regions, with the letter "a".

Subpart TT—Utah

68. In § 52.2321, the table is revised by changing the classification for nitrogen dioxide in the Four Corners Interstate Region from "IA" to "III".

69. In § 52.2331, the attainment date table is revised by replacing the letter "a", which designates the date for attainment of the national standard for nitrogen dioxide in the Four Corners Interstate Region, with the letter "c".

Subpart VV—Virginia

70. In § 52.2421, the table is revised by changing the classification for nitrogen dioxide in the State Capital and Hampton Roads Intrastate Regions and the National Capital Interstate Region from "I" to "III".

71. Section 52.2426 is revoked.

72. In § 52.2429, the attainment date table is revised by replacing the letter "a", which designates the date for attainment of the national standard for nitrogen dioxide in the State Capital and the Hampton Roads Intrastate Regions, and by replacing the date "June, 1975" for attainment of the national standard for nitrogen dioxide in the National Capital Interstate Region with the letter "d".

Subpart WW—Washington

73. In § 52.2471, the table is revised by changing the classification for nitrogen dioxide in the Puget Sound Intrastate Region from "I" to "III".

74. In § 52.2473, the attainment date table is revised by replacing the date

"July 1975" for attainment of the national standard for nitrogen dioxide in the Puget Sound Intrastate Region with the letter "b".

Subpart YY—Wisconsin

75. In § 52.2571, the table is revised by changing the classifications for nitrogen dioxide in the Southeastern Wisconsin Intrastate Region from "I" to "III", and in the Metropolitan Dubuque Interstate Region from "IA" to "III".

76. In § 52.2577, the attainment date table is revised by replacing the letter "a", which designates the date for attainment of the national standard for nitrogen dioxide in the Southeastern Wisconsin Intrastate Region and in the Metropolitan Dubuque Interstate Region, with the letter "c".

[FR Doc.74-10440 Filed 5-7-74; 8:45 am]

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Hawaii; Approval and Disapproval of Compliance Schedules

On May 31, 1972 (37 FR 10842), July 27, 1972 (37 FR 15080), and May 14, 1973 (38 FR 12711), pursuant to section 110 of the Clean Air Act and 40 CFR Part 51, the Administrator approved portions of the Hawaii plan for the implementation of the national ambient air quality standards. On July 27, 1973, after notice and public hearings, the Governor of Hawaii submitted to the Environmental Protection Agency (EPA) revisions to the compliance schedule portion of the approved plan.

Thirty-five state compliance orders and three state variances were submitted. On February 22, 1974 (39 FR 6726) EPA proposed that the thirty-five orders be approved as compliance schedule revisions to the Hawaii implementation plan, and that the three variances be disapproved. On February 27, 1974, the State of Hawaii Department of Health notified EPA that four of the sources subject to approvable compliance schedules (Honiron Division of Ward Foods, Inc., Pacific Concrete and Rock, Ltd., Ka'u Sugar Co., Pahala Mill and Ka'u Sugar Co., Honuapo Mill) and one source subject to an unapprovable variance (Hawaiian Fruit Packers, Ltd.) had achieved compliance prior to December 31, 1973. Three additional sources (Hawaiian Western Steel, Ltd., Construction Materials Hawaii, Inc., and Hawaiian Bitumuls and Paving Co., Ltd., Puunene Plant) are subject to compliance schedules with final compliance dates which have already passed. The approval and disapproval actions related to these sources have been deleted from this final notice of rulemaking.

The remaining twenty-eight compliance orders have been found to satisfy the requirements of 40 CFR 51.15 and to be consistent with the approved control

strategy. The remaining two variances, issued to the Nanakuli Paving and Rock Co., Ltd., Molokai asphalt plant and the Kohala Corp. sugar mill, do not explicitly require compliance with particulate matter emission regulations, and allow non-compliance to extend beyond the ambient air quality standards attainment date for particulate matter. They do not, therefore, meet the requirements of 40 CFR 51.15, and must be disapproved.

Each compliance schedule revision establishes a new date by which an individual source must comply with an emission limitation specified by the implementation plan. This date is indicated in the table below, under the heading "Final Compliance Date." In each case, the schedule includes incremental steps towards compliance which are not listed in the table. Some schedules require compliance by specifying the installation of specific control devices or by the construction of new equipment and the shutdown of existing equipment. Approval of these schedules is solely on the basis that compliance is required by the specified "Final Compliance Date," regardless of the method of control specified by the schedule.

EPA has received no comments in response to the publication of the proposed approvals and disapprovals (39 FR 6726 Feb. 22, 1974). An evaluation of each schedule, as well as the schedule itself, is available for public inspection at the Hawaii Department of Health and the Region IX office of EPA at the addresses noted below. In each case, the record of the appropriate public hearing has been reviewed and considered.

Environmental Protection Agency, Region IX
Enforcement Division, Room 302
100 California Street
San Francisco CA 94111

Environmental Protection Agency, Region IX
Pacific Islands Basin Office
1000 Bishop Street
Honolulu HI 96813

Hawaii State Department of Health
Air Sanitation Branch
Kapulawa Building
Honolulu HI 96801

(42 U.S.C. 1857c-5)

Dated: May 1, 1974.

JOHN QUARLES,
Acting Administrator.

Part 52 of 40 CFR Chapter I is amended as follows:

Subpart M—Hawaii

1. A new § 52.626 is added as follows:

§ 52.626 Compliance schedules.

(a) The compliance schedules for the sources identified below are approved as meeting the requirements of § 51.15 of this chapter. All regulations cited are air pollution control regulations of the State. Some schedules require compliance by specifying the installation of specific control devices or by the construction of new equipment and the shutdown of existing equipment. Approval of these schedules is solely on the basis that compliance is required by the specified "Final Compliance Date", regardless of the method of control specified by the schedule.

Source	Location	Regulation sections involved	Date of adoption	Effective date	Final compliance date
Grove Farm Co., Inc.	Koloa	12	July 27, 1973	Immediately	June 30, 1975
City and county of Honolulu	Kewalo	8, 11	do	do	July 31, 1975
County of Kauai	Lihue	7, 8	do	do	Do.
Do	Hanalei	7, 8	do	do	Do.
Do	Kekaha	7, 8	do	do	Do.
Do	Eleele	7, 8	do	do	Do.
Do	Koloa	7, 8	do	do	Do.
Do	Kapaa	7, 8	do	do	Do.
The Lihue Plantation Co., Ltd.	Lihue	8, 12	do	do	Jan. 31, 1975
Oahu Sugar Co., Ltd.	Waipahu	8, 12	do	do	Dec. 31, 1974
Pioneer Mill Co., Ltd.	Lahaina	8, 12	do	do	June 30, 1974
Hawaiian Bitumuls & Paving Co., Ltd.	Puhi	8, 13	do	do	Do.
Do	Kaena	8, 13	do	do	Dec. 31, 1974
Hilo Coast Processing Co.	Hakalau	8, 12	do	do	June 30, 1974
Do	Waialuku	8, 12	do	do	Do.
McBryde Sugar Co. Ltd.	Eleele	8, 12	do	do	July 31, 1975
Lanipahoos Sugar Co.	Oakala	8, 12	do	do	July 1, 1974
Honokaa Sugar Co.	Haina	8, 12	do	do	May 31, 1975
Hawaiian Commercial & Sugar Co.					
Boilers 11 and 12	Puunene	8, 12	do	do	July 1, 1975
Boilers 7, 8, 9, 10	do	8, 12	do	do	Do.
Boilers	Pala	8, 12	do	do	Do.
Kiln	do	8, 13	do	do	June 15, 1974
Kaiser Cement & Gypsum Corp.	Nanakuli	13	do	do	Mar. 31, 1975
Nanakuli Paving & Rock Co., Ltd.	Ealawa	8, 13	do	do	Mar. 1, 1975
Jas. W. Glover, Ltd.	Hilo	13	do	do	Apr. 1, 1975
City and County of Honolulu	Waipahu	8, 11	do	do	July 31, 1975
Do	Kapalama	8, 11	do	do	Do.
Hawaiian Cement Corp.	Ewa Beach	8, 13	do	do	Feb. 23, 1975

(b) The compliance schedules for the sources identified below are disapproved as not meeting the requirements of

§ 51.15 of this chapter. The regulations cited are air pollution control regulations of the State.