

(2) Group 2: Model C90A, serial numbers LJ-1281 through LJ-1732.

**What Is the Unsafe Condition Presented in This AD?**

(d) This AD results from receiving and evaluating new service information that

requires the actions of AD 92-07-05 for the added serial numbers LJ-1281 through LJ-1732 for the Model C90A airplanes. The actions specified in this AD are intended to prevent water accumulation in the rudder trim tab, which could result in a change in the mass properties and thus result in the

lower flutter speed of the airplane. Airplane flutter could result in failure and loss of control of the airplane.

**What Must I Do To Address This Problem?**

(e) To address this problem, you must do the following:

Actions	Compliance	Procedures
(1) <i>For Group 1 Airplanes:</i> Inspect the rudder trim tab for proper moisture drainage provisions.	Within 150 hours time-in-service (TIS) after April 30, 1992 (the effective date of AD 92-07-05), unless already done.	Follow Beech Service Bulletin No. 2365, Revision 1, dated December 1991.
(2) <i>For Group 1 Airplanes:</i> If the correct drainage provisions do not exist, prior to further flight, modify the rudder trim tab.	Before further flight after the inspection required by paragraph (e)(1) of this AD.	Follow Beech Service Bulletin No. 2365, Revision 1, dated December 1991.
(3) <i>For Group 2 Airplanes:</i> Inspect the rudder trim tab for proper moisture drainage provisions.	Within 150 hours time-in-service (TIS) after the effective date of this AD, unless already done.	Follow Raytheon Aircraft Company Service Bulletin No. SB 55-2365, Revision 2, Issued: January 1991, Revised: October 2005.
(4) <i>For Group 2 Airplanes:</i> If the correct drainage provisions do not exist, prior to further flight, modify the rudder trim tab.	Before further flight after the inspection required by paragraph (e)(3) of this AD.	Follow Raytheon Aircraft Company Service Bulletin No. SB 55-2365, Revision 2, Issued: January 1991, Revised: October 2005.

**May I Request an Alternative Method of Compliance?**

(f) The Manager, Wichita Aircraft Certification Office (ACO), FAA, has the authority to approve alternative methods of compliance (AMOCs) for this AD, if requested using the procedures found in 14 CFR 39.19.

(i) For information on any already approved AMOCs or for information pertaining to this AD, contact Steven E. Potter, Aerospace Engineer, Wichita ACO, FAA, 1801 Airport Road, Wichita, Kansas 67209; telephone: (316) 946-4124; facsimile: (316) 946-4107.

(ii) AMOCs approved for AD 92-07-05 are not approved for this AD.

**May I Get Copies of the Documents Referenced in This AD?**

(g) To get copies of the documents referenced in this AD, contact Raytheon Aircraft Company, P.O. Box 85, Wichita, Kansas 67201-0085; telephone: (800) 429-5372 or (316) 676-3140. To view the AD docket, go to the Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC, or on the Internet at <http://dms.dot.gov>. The docket number is Docket No. FAA-2005-23319; Directorate Identifier 2005-CE-52-AD.

Issued in Kansas City, Missouri, on January 31, 2006.

**John R. Colomy,**

*Acting Manager, Small Airplane Directorate, Aircraft Certification Service.*

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**BILLING CODE 4910-13-P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[EPA-R03-OAR-2005-MD-0014; FRL-8028-3]

**Approval and Promulgation of Air Quality Implementation Plans; Maryland; Amendments to the Control of VOC Emissions From Yeast Manufacturing**

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve a State Implementation Plan (SIP) revision submitted by Maryland. This revision pertains to the amendment of a regulation that controls volatile organic compound (VOC) emissions from yeast manufacturing facilities. This action is being taken under the Clean Air Act (CAA or the Act).

**DATES:** Written comments must be received on or before March 8, 2006.

**ADDRESSES:** Submit your comments, identified by Docket ID Number EPA-R03-OAR-2005-MD-0014 by one of the following methods:

- A. [Http://www.regulations.gov](http://www.regulations.gov). Follow the on-line instructions for submitting comments.
- B. E-mail: [morris.makeba@epa.gov](mailto:morris.makeba@epa.gov).
- C. Mail: EPA-R03-OAR-2005-MD-0014, Makeba Morris, Chief, Air Quality Planning Branch, Mailcode 3AP21, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103.

D. Hand Delivery: At the previously-listed EPA Region III address. Such deliveries are only accepted during the

Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

*Instructions:* Direct your comments to Docket ID No. EPA-R03-OAR-2005-MD-0014. EPA's policy is that all comments received will be included in the public docket without change, and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through <http://www.regulations.gov> or e-mail. The <http://www.regulations.gov> Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through <http://www.regulations.gov>, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

*Docket:* All documents in the electronic docket are listed in the <http://www.regulations.gov> index. Although listed in the index, some information is not publicly available, i.e., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically in <http://www.regulations.gov> or in hard copy during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the State submittal are available at the Maryland Department of the Environment, 1800 Washington Boulevard, Suite 705, Baltimore, Maryland, 21230.

**FOR FURTHER INFORMATION CONTACT:** Rose Quinto, (215) 814-2182, or by e-mail at [quinto.rose@epa.gov](mailto:quinto.rose@epa.gov).

**SUPPLEMENTARY INFORMATION:** On October 31, 2005, the Maryland Department of the Environment (MDE) submitted a revision to the Maryland SIP. The SIP revision consists of amendments to COMAR 26.11.19.17—Control of VOC Emissions from Yeast Manufacturing.

## I. Background

COMAR 26.11.19.17 contains requirements for the control of VOC emissions from sources that manufacture yeast. In 2004, the regulation was amended to clarify requirements for sources that manufacture both nutritional yeast and specialty yeast. The amendment provided more flexibility for sources that could manufacture specialty yeast and meet VOC standards that were developed for the lower emitting nutritional yeast. The amendment also included changes that made Maryland's regulation consistent with EPA's maximum achievable control technology (MACT) standards for nutritional yeast. In addition, the amendment required sources to demonstrate that the standards were met at least 98 percent of the time for each 12-month period.

## II. Summary of SIP Revision

The amendments submitted on October 31, 2005 to COMAR 26.11.19.17 are: (1) To reinstate the requirements for non-nutritional and specialty yeast installations to meet certain operational requirements to minimize VOC emissions, and (2) to clarify the 98

percent compliance demonstration is a 12-month rolling average.

The amendment requires pure culture and yeasting installations (non-nutritional and specialty yeast installations) to monitor temperature, pH, and sugar content of the batch to minimize the formation and emission of VOC. The amendment also requires batch production information be collected each month and that the semi-annual reports submitted to MDE include this monthly data. The semi-annual report shall include: (1) A summary of the number of batches for each month and calculations showing the percent of batches that met the VOC standards for each month, and (2) calculations showing the percent of batches that met the VOC standards during the previous six 12-month rolling average periods. Affected sources are required to meet the VOC standards for at least 98 percent of the batches produced during each rolling 12-month period, beginning July 1, 2004.

## III. Proposed Action

EPA is proposing to approve the Maryland SIP revision for the amendments to the regulation regarding the control of VOC emissions from yeast manufacturing facilities, which was submitted on October 31, 2005. Implementation of these amendments will result in the reduction of VOC emissions from yeast manufacturing facilities. EPA is soliciting public comments on the issues discussed in this document. These comments will be considered before taking final action.

## IV. Statutory and Executive Order Reviews

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this proposed action is not a "significant regulatory action" and therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, "Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use" (66 FR 28355 (May 22, 2001)). This action merely proposes to approve state law as meeting Federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this proposed rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule proposes to approve pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it does not

contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Public Law 104-4). This proposed rule also does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), nor will it have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999), because it merely proposes to approve a state rule implementing a Federal requirement, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. This proposed rule also is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it is not economically significant.

In reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. In this context, in the absence of a prior existing requirement for the State to use voluntary consensus standards (VCS), EPA has no authority to disapprove a SIP submission for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a SIP submission, to use VCS in place of a SIP submission that otherwise satisfies the provisions of the Clean Air Act. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 *note*) do not apply. As required by section 3 of Executive Order 12988 (61 FR 4729, February 7, 1996), in issuing this proposed rule, EPA has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct. EPA has complied with Executive Order 12630 (53 FR 8859, March 15, 1988) by examining the takings implications of the rule in accordance with the "Attorney General's Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings" issued under the executive order.

This proposed rule pertaining to Maryland's amendments to the regulations pertaining to the control of VOC emissions from yeast

manufacturing facilities, does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

**List of Subjects in 40 CFR Part 52**

Environmental protection, Air pollution control, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

**Authority:** 42 U.S.C. 7401 *et seq.*

Dated: January 26, 2006.

**Donald S. Welsh,**

*Regional Administrator, Region III.*

[FR Doc. E6-1596 Filed 2-3-06; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 63**

[EPA-HQ-OAR-2005-0155; FRL-8028-4]

RIN 2060-AK18

**National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities**

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

**ACTION:** Proposed rule; extension of public comment period.

**SUMMARY:** EPA is announcing that the comment period on the proposed National Perchloroethylene Emission Standards for Dry Cleaning Facilities, published on December 21, 2005 (70 FR 75884), is being extended until March 23, 2006.

**DATES:** The comment period has been extended from February 6, 2006 to on or before March 23, 2006.

**ADDRESSES:** *Comments.* Submit your comments, identified by Docket ID No. EPA-HQ-OAR-2005-0155, by one of the following methods:

- *http://www.regulations.gov.* Follow the on-line instructions for submitting comments.
- *E-mail: a-and-r-docket@epa.gov,* Attention Docket ID No. EPA-HQ-OAR-2005-0155.

- *Fax:* (202) 566-1741, Attention Docket ID No. EPA-HQ-OAR-2005-0155.

- *Mail:* U.S. Postal Service, send comments to: EPA Docket Center (6102T), Attention Docket ID No. EPA-HQ-OAR-2005-0155, 1200 Pennsylvania Avenue, NW., Washington, DC 20460. Please include a total of two copies.

- *Hand Delivery:* In person or by courier, deliver comments to: EPA Docket Center (6102T), Attention Docket ID No. EPA-HQ-OAR-2005-0155, 1301 Constitution Avenue, NW., Room B-108, Washington, DC 20004. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information. Please include a total of two copies.

*Instructions:* Direct your comments to Docket ID No. EPA-HQ-OAR-2005-0155. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at *http://www.regulations.gov*, including any personal information provided, unless the comment includes information claimed to be confidential business information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through *http://www.regulations.gov* or e-mail. Send or deliver information identified as CBI to only the following address: Mr. Roberto Morales, OAQPS Document Control Officer, EPA (C404-02), Attention Docket ID No. EPA-HQ-OAR-2005-0155, Research Triangle Park, NC 27711. Clearly mark the part or all of the information that you claim to be CBI. The *http://www.regulations.gov* Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through *http://www.regulations.gov*, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the

Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket visit the EPA Docket Center homepage at *http://www.epa.gov/epahome/dockets.htm*.

*Docket:* All documents in the docket are listed in the *http://www.regulations.gov* index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in *http://www.regulations.gov* or in hard copy at the EPA Docket Center, Docket ID No. EPA-HQ-OAR-2005-0155, EPA West Building, Room B-102, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the EPA Docket Center is (202) 566-1742. A reasonable fee may be charged for copying docket materials.

**FOR FURTHER INFORMATION CONTACT:** Ms. Rhea Jones, EPA, Office of Air Quality Planning and Standards, Sector Policies and Programs Division, Program Design Group, Research Triangle Park, NC 27711; telephone number (919) 541-2940; facsimile number (919) 541-5689; e-mail address *jones.rhea@epa.gov*.

**SUPPLEMENTARY INFORMATION:** *Regulated Entities.* Categories and entities potentially regulated by the proposed rule are industrial and commercial PCE dry cleaners. The proposed rule affects the following categories of sources:

Category	NAICS <sup>1</sup> Code	Examples of potentially regulated entities
Coin-operated Laundries and Dry Cleaners .....	812310	Dry-to-dry machines. Transfer machines.
Dry Cleaning and Laundry Services (except coin-operated) .....	812320	Dry-to-dry machines. Transfer machines.
Industrial Launderers .....	812332	Dry-to-dry machines. Transfer machines.

<sup>1</sup> North American Industry Classification System.