

speed in order to return the bridge to normal operation as soon as possible.

Should the bridge maintenance authorized by this temporary deviation be completed before the end of the effective period published in this notice, the Coast Guard will rescind the remainder of this temporary deviation, and the bridge shall be returned to its normal operating schedule. Notice of the above action shall be provided to the public in the Local Notice to Mariners and the **Federal Register**, where practicable. This deviation from the operating regulations is authorized under 33 CFR 117.35(b).

Dated: July 14, 2006.

Gary Kassof,

Bridge Program Manager, First Coast Guard District.

[FR Doc. E6-11730 Filed 7-21-06; 8:45 am]

BILLING CODE 4910-15-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[TN-200602; FRL-8197-2]

Approval and Promulgation of Air Quality Implementation Plans; Tennessee; Update to Materials Incorporated by Reference

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; Notice of administrative change.

SUMMARY: EPA is publishing this action to provide the public with notice of the update to the Tennessee State Implementation Plan (SIP) compilation. In particular, materials submitted by Tennessee that are incorporated by reference (IBR) into the Tennessee SIP are being updated to reflect EPA-approved revisions to Tennessee's SIP that have occurred since the last update. In this action EPA is also notifying the public of the correction of certain typographical errors.

DATES: This action is effective July 24, 2006.

ADDRESSES: SIP materials which are incorporated by reference into 40 CFR part 52 are available for inspection at the following locations: Environmental Protection Agency, Region 4, 61 Forsyth Street, SW., Atlanta, GA 30303; the EPA, Air and Radiation Docket and Information Center, Air Docket (6102), 1301 Constitution Avenue, NW., Room B102, Washington, DC 20460, and the National Archives and Records Administration (NARA). For information on the availability of this

material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

FOR FURTHER INFORMATION CONTACT: Ms. Stacy DiFrank at the above Region 4 address or at (404) 562-9042.

SUPPLEMENTARY INFORMATION: Each state has a SIP containing the control measures and strategies used to attain and maintain the national ambient air quality standards (NAAQS). The SIP is extensive, containing such elements as air pollution control regulations, emission inventories, monitoring networks, attainment demonstrations, and enforcement mechanisms.

Each state must formally adopt the control measures and strategies in the SIP after the public has had an opportunity to comment on them and then submit the SIP to EPA. Once these control measures and strategies are approved by EPA, after notice and comment, they are incorporated into the federally approved SIP and are identified in part 52 "Approval and Promulgation of Implementation Plans," Title 40 of the Code of Federal Regulations (40 CFR part 52). The full text of the state regulation approved by EPA is not reproduced in its entirety in 40 CFR part 52, but is "incorporated by reference." This means that EPA has approved a given state regulation with a specific effective date. The public is referred to the location of the full text version should they want to know which measures are contained in a given SIP. The information provided allows EPA and the public to monitor the extent to which a state implements a SIP to attain and maintain the NAAQS and to take enforcement action if necessary.

The SIP is a living document which the state can revise as necessary to address the unique air pollution problems in the state. Therefore, EPA from time to time must take action on SIP revisions containing new and/or revised regulations as being part of the SIP. On May 22, 1997, (62 FR 27968), EPA revised the procedures for incorporating by reference, into the Code of Federal Regulations, materials submitted by states in their EPA-approved SIP revisions. These changes revised the format for the identification of the SIP in 40 CFR part 52, streamlined the mechanisms for announcing EPA approval of revisions to a SIP, and streamlined the mechanisms for EPA's updating of the IBR information contained for each SIP in 40 CFR part 52. The revised procedures also called for EPA to maintain "SIP Compilations"

that contain the federally-approved regulations and source specific permits submitted by each state agency. These SIP Compilations are contained in 3-ring binders and are updated primarily on an annual basis. Under the revised procedures, EPA is to periodically publish an informational document in the rules section of the **Federal Register** when updates are made to a SIP Compilation for a particular state. EPA's 1997 revised procedures were formally applied to Tennessee on June 30, 1999 (64 FR 35009).

This action represents EPA's publication of the Tennessee SIP Compilation update, appearing in 40 CFR part 52. In addition, notice is provided of the following typographical corrections to Table 1 of § 52.2220, as described below, and modifying the IBR Table format of Table 1.

1. Correcting typographical errors listed in Table 1 of § 52.2220(c), as described below:

A. Change in **Federal Register** citations to reflect the beginning page of the preamble as opposed to that of the regulatory text.

B. Chapter 1200-3-5-.03 title is revised to read "Method of Evaluating and Recording."

C. Chapter 1200-3-5-.11 EPA approved date is corrected to read "07/16/02."

D. Chapter 1200-3-9-.05, "Appeal of Permit Application Denials and Permit Conditions," is changed to Chapter 1200-3-9-.06, and a new Chapter 1200-3-8-.05 is added and "Reserved."

EPA has determined that today's action falls under the "good cause" exemption in section 553(b)(3)(B) of the Administrative Procedure Act (APA) which, upon finding "good cause," authorizes agencies to dispense with public participation, and section 553(d)(3), which allows an agency to make an action effective immediately (thereby avoiding the 30-day delayed effective date otherwise provided for in the APA). Today's administrative action simply codifies provisions which are already in effect as a matter of law in Federal and approved state programs and corrects typographical errors appearing in the **Federal Register**. Under section 553 of the APA, an agency may find good cause where procedures are "impractical, unnecessary, or contrary to the public interest." Public comment for this administrative action is "unnecessary" and "contrary to the public interest" since the codification (and typographical corrections) only reflect existing law. Immediate notice of this action in the **Federal Register** benefits the public by providing the public

notice of the updated Tennessee SIP Compilation and notice of typographical corrections to the Tennessee "Identification of Plan" portion of the **Federal Register**.

Statutory and Executive Order Reviews

A. General Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this administrative action is not a "significant regulatory action" and is therefore not subject to review by the Office of Management and Budget. This action is not subject to Executive Order 13211, "Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use" (66 FR 28355, May 22, 2001) because it is not a significant regulatory action under Executive Order 12866. Because the Agency has made a "good cause" finding that this action is not subject to notice-and-comment requirements under the APA or any other statute as indicated in the Supplementary Information section above, it is not subject to the regulatory flexibility provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), or to sections 202 and 205 of the Unfunded Mandates Reform Act (UMRA) of 1995 (Pub. L. 104-4). In addition, this action does not significantly or uniquely affect small governments or impose a significant intergovernmental mandate, as described in sections 203 and 204 of UMRA. This administrative action 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). This administrative action also is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it is not economically significant. This administrative action does not involve technical standards, 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. The administrative action also does not involve special consideration of environmental justice related issues as required by Executive Order 12898 (59 FR 7629, February 16, 1994). This

administrative action does not impose an information collection burden under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). EPA's compliance with these Statutes and Executive Orders for the underlying rules are discussed in previous actions taken on the State's rules.

B. Submission to Congress and the Comptroller General

The Congressional Review Act (CRA) (5 U.S.C. 801 *et seq.*), as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. Section 808 allows the issuing agency to make a rule effective sooner than otherwise provided by the CRA if the agency makes a good cause finding that notice and public procedure is impracticable, unnecessary or contrary to the public interest. Today's administrative action simply codifies (and corrects) provisions which are already in effect as a matter of law in Federal and approved state programs. 5 U.S.C. 808(2). These announced actions were effective when EPA approved them through previous rulemaking actions. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of this action in the **Federal Register**. This update to Tennessee's SIP Compilation and correction of typographical errors is not a "major rule" as defined by 5 U.S.C. 804(2).

C. Petitions for Judicial Review

EPA has also determined that the provisions of section 307(b)(1) of the Clean Air Act pertaining to petitions for judicial review are not applicable to this action. This action is simply an announcement of prior rulemakings that have previously undergone notice and comment rulemaking. Prior EPA rulemaking actions for each individual component of the Tennessee SIP compilation previously afforded interested parties the opportunity to file a petition for judicial review in the United States Court of Appeals for the appropriate circuit within 60 days of such rulemaking action.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead,

Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: June 23, 2006.

A. Stanley Meiburg,

Acting Regional Administrator, Region 4.

■ 40 CFR part 52, is amended as follows:

PART 52—[AMENDED]

■ 1. The authority for citation for part 52 continues to read as follows:

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

Subpart RR—Tennessee

■ 2. Section 52.2220 is amended by revising paragraph (b), and revising table 1 in paragraph (c) to read as follows:

§ 52.2220 Identification of plan.

* * * * *

(b) *Incorporation by reference.* (1) Material listed in paragraph (c) of this section with an EPA approval date prior to January 1, 2006, for Tennessee (Table 1 of the Tennessee State Implementation Plan), January 1, 2003 for Memphis Shelby County (Table 2 of the Tennessee State Implementation Plan), March 1, 2005, for Knox County (Table 3 of the Tennessee State Implementation Plan), April 1, 2005 for Chattanooga (Table 4 of the Tennessee State Implementation Plan), April 1, 2005, for Nashville-Davidson County (Table 5 of the Tennessee State Implementation Plan) and paragraph (d) with an EPA approval date prior to December 1, 1998, was approved for incorporation by reference by the Director of the **Federal Register** in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Material is incorporated as it exists on the date of the approval, and notice of any change in the material will be published in the **Federal Register**. Entries in paragraphs (c) of this section with EPA approval dates after January 1, 2006, for Tennessee (Table 1 of the Tennessee State Implementation Plan), January 1, 2003 for Memphis Shelby County (Table 2 of the Tennessee State Implementation Plan), March 1, 2005, for Knox County (Table 3 of the Tennessee State Implementation Plan), April 1, 2005 for Chattanooga (Table 4 of the Tennessee State Implementation Plan), April 1, 2005, for Nashville-Davidson County (Table 5 of the Tennessee State Implementation Plan) and paragraph (d) with an EPA approval date after December 1, 1998, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 4 certifies that the rules/regulations provided by EPA in the SIP compilation at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated State rules/regulations which have been approved as part of the State implementation plan as of the dates referenced in paragraph (b)(1).

(3) Copies of the materials incorporated by reference may be inspected at the Region 4 EPA Office at 61 Forsyth Street, SW., Atlanta, GA 30303; the EPA, Air and Radiation Docket and Information Center, Air Docket, 1301 Constitution Avenue, NW., Room B102, Washington, DC 20460; or at the National Archives and Records

Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

(c) * * *

TABLE 1.—EPA APPROVED TENNESSEE REGULATIONS

State citation	Title/subject	State effective date	EPA approval date	Explanation
CHAPTER 1200-3-1 GENERAL PROVISIONS				
Section 1200-3-1-.01	General Rules	02/09/77	03/29/85, 50 FR 12540	
Section 1200-3-1-.02	Severability	10/12/79	06/24/82, 47 FR 27267	
CHAPTER 1200-3-2 DEFINITIONS				
Section 1200-3-2-.01	General Definitions	06/26/93	09/16/02, 67 FR 46594	
Section 1200-3-2-.02	Abbreviations	02/09/77	03/29/85, 50 FR 12540	
CHAPTER 1200-3-3 AIR QUALITY STANDARDS				
Section 1200-3-3-.01	Primary Air Quality Standards	02/09/77	03/29/85, 50 FR 12539	
Section 1200-3-3-.02	Secondary Air Quality Standards	02/09/77	03/29/85, 50 FR 12539	
Section 1200-3-3-.03	Tennessee's Ambient Air Quality Standards	12/05/84	03/29/85, 50 FR 12539	
Section 1200-3-3-.04	Nondegradation	02/09/77	03/29/85, 50 FR 12540	
Section 1200-3-3-.05	Achievement	08/02/83	04/07/93, 58 FR 18011	
CHAPTER 1200-3-4 OPEN BURNING				
Section 1200-3-4-.01	Purpose	02/09/77	03/29/85, 50 FR 12540	
Section 1200-3-4-.02	Open Burning Prohibited	03/21/79	06/24/82, 47 FR 27268	
Section 1200-3-4-.03	Exceptions to Prohibition	02/09/77	03/29/85, 50 FR 12540	
Section 1200-3-4-.04	Permits for Open Burning	06/21/79	06/24/82, 47 FR 27268	
CHAPTER 1200-3-5 VISIBLE EMISSION REGULATIONS				
Section 1200-3-5-.01	General Standards	06/07/92	08/15/97, 62 FR 43643	
Section 1200-3-5-.02	Exceptions	06/07/92	08/15/97, 62 FR 43643	
Section 1200-3-5-.03	Method of Evaluating and Recording	06/07/92	08/15/97, 62 FR 43643	
Section 1200-3-5-.04	Exemption	06/07/92	08/15/97, 62 FR 43643	
Section 1200-3-5-.05	Standard for Certain Existing Sources	06/07/92	08/15/97, 62 FR 43643	
Section 1200-3-5-.06	Wood-Fired Fuel Burning Equipment	06/07/92	08/15/97, 62 FR 43643	
Section 1200-3-5-.07	Repealed	06/07/92	08/15/97, 62 FR 43643	
Section 1200-3-5-.08	Titanium Dioxide (TiO ₂) Manufacturing	06/07/92	08/15/97, 62 FR 43643	
Section 1200-3-5-.09	Kraft Mill and Soda Mill Recovery	04/06/98	09/16/02, 67 FR 46594	
Section 1200-3-5-.10	Choice of Visible Emission Standard for Certain Fuel Burning Equipment.	06/07/92	08/15/97, 62 FR 43643	
Section 1200-3-5-.11	Repealed	04/06/98	09/16/02, 62 FR 46594	
Section 1200-3-5-.12	Coke Battery Underfire (combustion) Stacks	06/07/92	08/15/97, 62 FR 43643	
CHAPTER 1200-3-6 NON-PROCESS EMISSION STANDARDS				
Section 1200-3-6-.01	General Non-Process Emissions	06/21/79	06/24/82, 47 FR 27267	
Section 1200-3-6-.02	Non-Process Particulate Emission Standards	09/08/80	06/24/82, 47 FR 27267	
Section 1200-3-6-.03	General Non-Process Gaseous Emissions	06/21/79	06/24/82, 47 FR 27267	
Section 1200-3-6-.04	(Deleted)	06/21/79	06/24/82, 47 FR 27267	
Section 1200-3-6-.05	Wood-Fired Fuel Burning Equipment	05/30/87	11/23/88, 53 FR 47530	
CHAPTER 1200-3-7 PROCESS EMISSION STANDARDS				
Section 1200-3-7-.01	General Process Particulate Emission Standards	03/02/79	06/24/82, 47 FR 27267	
Section 1200-3-7-.02	Choice of Particulate Emission Standards—Existing Process.	04/12/78	06/07/79, 44 FR 32681	
Section 1200-3-7-.03	New Processes	06/21/79	06/24/82, 47 FR 27267	
Section 1200-3-7-.04	Limiting Allowable Emissions	03/21/79	06/07/79, 44 FR 32681	
Section 1200-3-7-.05	Specific Process Emission Standards	06/07/74	06/07/79, 44 FR 32681	
Section 1200-3-7-.06	Standards of Performance for New Stationary Sources.	06/07/74	06/07/79, 44 FR 32681	
Section 1200-3-7-.07	General Provisions and Applicability for Process Gaseous Emission Standards.	01/22/82	06/12/96, 61 FR 29666	

TABLE 1.—EPA APPROVED TENNESSEE REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation
Section 1200-3-7-.08	Specific Process Emission Standards	09/22/80	01/31/96, 61 FR 3318	
Section 1200-3-7-.09	Sulfuric Acid Mist	02/09/77	03/29/85, 50 FR 12540	
Section 1200-3-7-.10	Grain Loading Limit for Certain Existing Sources	03/21/79	06/24/82, 47 FR 27267	
Section 1200-3-7-.11	Carbon Monoxide, Electric Arc Furnaces	10/25/79	06/24/82, 47 FR 27267	
Section 1200-3-7-.12	Carbon Monoxide, Catalytic Cracking Units	01/22/82	06/21/82, 47 FR 26621	
CHAPTER 1200-3-8 FUGITIVE DUST				
Section 1200-3-8-.01	Fugitive Dust	07/11/80	06/24/82, 47 FR 27267	
Section 1200-3-8-.02	Special Nonattainment Area Fugitive Dust Requirements.	03/21/79	06/24/82, 47 FR 27267	
CHAPTER 1200-3-9 CONSTRUCTION AND OPERATING PERMITS				
Section 1200-3-9-.01	Construction Permits	01/26/99	07/19/99, 64 FR 38580	
Section 1200-3-9-.02	Operating Permits	09/21/94	02/13/97, 62 FR 6724	
Section 1200-3-9-.03	General Provisions	02/09/77	03/29/85, 50 FR 12540	
Section 1200-3-9-.04	Exemptions	08/28/95	08/29/02, 67 FR 55320	
Section 1200-3-9-.05	Reserved.			
Section 1200-3-9-.06	Appeal of Permit Application Denials and Permit Conditions.	11/16/79	06/24/82 47 FR 27269	
CHAPTER 1200-3-10 REQUIRED SAMPLING, RECORDING, AND REPORTING				
Section 1200-3-10-.01	Sampling Required to Establish Contaminant Emission Levels.	12/14/81	03/19/96, 61 FR 11136	
Section 1200-3-10-.02	Monitoring of Source Emissions, Recording, Reporting of the Same are Required.	02/14/96	01/07/00, 65 FR 1070	
Section 1200-3-10-.04	Sampling, Recording, and Reporting Required for Major Stationary Sources.	09/12/94	01/19/00, 65 FR 2880	
CHAPTER 1200-3-12 METHODS OF SAMPLING AND ANALYSIS				
Section 1200-3-12-.01	General	02/09/77	03/29/85, 50 FR 12540	
Section 1200-3-12-.02	Procedures for Ambient Sampling and Analysis	01/18/80	06/24/82, 47 FR 27270	
Section 1200-3-12-.03	Source Sampling and Analysis	08/01/84	03/29/85, 50 FR 12539	
Section 1200-3-12-.04	Monitoring Required for Determining Compliance of Certain Large Sources.	12/28/96	01/07/00, 65 FR 1070	
CHAPTER 1200-3-13 VIOLATIONS				
Section 1200-3-13-.01	Violation Statement	06/07/74	06/07/79, 44 FR 32681	
CHAPTER 1200-3-14 CONTROL OF SULFUR DIOXIDE EMISSIONS				
Section 1200-3-14-.01	General Provisions	08/01/84	04/07/93, 58 FR 18011	
Section 1200-3-14-.02	Non-Process Emission Standards	08/01/84	04/07/93, 58 FR 18011	
Section 1200-3-14-.03	Process Emission Standards	03/21/93	03/19/96, 61 FR 11136	
CHAPTER 1200-3-15 EMERGENCY EPISODE REQUIREMENTS				
Section 1200-3-15-.01	Purpose	02/09/77	03/29/85, 50 FR 12540	
Section 1200-3-15-.02	Episode Criteria	06/26/93	09/15/94, 59 FR 47256	
Section 1200-3-15-.03	Required Emissions Reductions	05/15/81	06/24/82, 47 FR 27267	
CHAPTER 1200-3-17 CONFLICT OF INTEREST				
Section 1200-3-17-.01	Purpose and Intent	09/18/96	10/28/02, 67 FR 55322	
Section 1200-3-17-.02	Conflict of Interest on the Part of the Board and Technical Secretary.	09/18/96	10/28/02, 67 FR 55322	
Section 1200-3-17-.03	Conflict of Interest in the Permitting of Municipal Solid Waste Incineration Units.	09/18/96	10/28/02, 67 FR 55322	
CHAPTER 1200-3-18 VOLATILE ORGANIC COMPOUNDS				
Section 1200-3-18-.01	Definitions	01/12/98	06/03/03, 68 FR 33008	
Section 1200-3-18-.02	General Provisions and Applicability	02/23/96	07/18/96, 61 FR 37387	
Section 1200-3-18-.03	Compliance Certification, Recordkeeping, and Reporting Requirements for Coating and Printing Sources.	02/08/96	07/18/96, 61 FR 37387	
Section 1200-3-18-.04	Compliance Certification, Recordkeeping, and Reporting Requirements for Non-Coating and Non-Printing Sources.	02/08/96	07/18/96, 61 FR 37387	

TABLE 1.—EPA APPROVED TENNESSEE REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation
Section 1200-3-18-.05	(Reserved)	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.06	Handling, Storage, Use, and Disposal of Volatile Organic Compounds (VOC).	06/04/96	08/27/96, 61 FR 43972	
Section 1200-3-18-.07	Source-Specific Compliance Schedules	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.08	(Reserved)	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.09	(Reserved)	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.10	(Reserved)	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.11	Automobile and Light-Duty Truck Coating Operations	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.12	Can Coating	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.13	Coil Coating	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.14	Paper and Related Coating	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.15	Fabric Coating	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.16	Vinyl Coating	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.17	Coating of Metal Furniture	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.18	Coating of Large Appliances	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.19	Coating of Magnet Wire	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.20	Coating of Miscellaneous Metal Parts	01/26/99	11/03/99, 64 FR 59628	
Section 1200-3-18-.21	Coating of Flat Wood Paneling	02/08/96	07/18/96, 61 FR 37387	
Section 1200-3-18-.22	Bulk Gasoline Plants	12/29/04	08/26/05, 70 FR 50199	
Section 1200-3-18-.23	Bulk Gasoline Terminals	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.24	Gasoline Dispensing Facility—Stage I and Stage II Vapor Recovery.	12/29/04	08/26/05, 70 FR 50199	
Section 1200-3-18-.25	Leaks from Gasoline Tank Trucks	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.26	Petroleum Refinery Sources	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.27	Leaks from Petroleum Refinery Equipment	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.28	Petroleum Liquid Storage in External Floating Roof Tanks.	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.29	Petroleum Liquid Storage in Fixed Roof Tanks	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.30	Leaks from Natural Gas/Gasoline Processing Equipment.	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.31	Solvent Metal Cleaning	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.32	Cutback and Emulsified Asphalt	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.33	Manufacture of Synthesized Pharmaceutical Products	02/21/95	07/18/96, 61 FR 37387	
Section 1200-3-18-.34	Pneumatic Rubber Tire Manufacturing	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.35	Graphic Arts Systems	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.36	Petroleum Solvent Dry Cleaners	02/08/96	07/18/96, 61 FR 37387	
Section 1200-3-18-.37	(Reserved)	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.38	Leaks from Synthetic Organic Chemical, Polymer, and Resin Manufacturing Equipment.	02/08/96	07/18/96, 61 FR 37387	
Section 1200-3-18-.39	Manufacture of High Density Polyethylene, Polypropylene, and Polystyrene Resins.	05/08/97	07/29/97, 62 FR 40458	
Section 1200-3-18-.40	Air Oxidation Processes in the Synthetic Organic Chemical Manufacturing Industry.	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.41	(Reserved)	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.42	Wood Furniture Finishing and Cleaning Operations	04/25/96	07/18/96, 61 FR 37387	
Section 1200-3-18-.43	Offset Lithographic Printing Operations	04/22/96	07/18/96, 61 FR 37387	
Section 1200-3-18-.44	Surface Coating of Plastic Parts	06/03/96	08/27/96, 61 FR 43972	
Section 1200-3-18-.45	Standards of Performance for Commercial Motor Vehicle and Mobile Equipment Refinishing Operations.	06/03/96	08/27/96, 61 FR 43972	
Section 1200-3-18-.48	Volatile Organic Liquid Storage Tanks	06/03/96	08/27/96, 61 FR 43972	
Sections 1200-3-18-.49-.77.	(Reserved)	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.78	Other Facilities That Emit Volatile Organic Compounds (VOC's) of Fifty Tons Per Year.	02/08/96	07/18/96, 61 FR 37387	
Section 1200-3-18-.79	Other Facilities That Emit Volatile Organic Compounds (VOC's) of One Hundred Tons Per Year.	02/08/96	07/18/96, 61 FR 37387	
Section 1200-3-18-.80	Test Methods and Compliance Procedures: General Provisions.	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.81	Test Methods and Compliance Procedures: Determining the Volatile Organic Compound (VOC) Content of Coatings and Inks.	05/08/97	07/29/97, 62 FR 40458	
Section 1200-3-18-.82	Test Methods and Compliance Procedures: Alternative Compliance Methods for Surface Coating.	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.83	Test Methods and Compliance Procedures: Emission Capture and Destruction or Removal Efficiency and Monitoring Requirements.	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.84	Test Methods and Compliance Procedures: Determining the Destruction or Removal Efficiency of a Control Device.	05/18/93	02/27/95, 60 FR 10504	

TABLE 1.—EPA APPROVED TENNESSEE REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation
Section 1200-3-18-.85	Test Methods and Compliance Procedures: Leak Detection Methods for Volatile Organic Compounds (VOC's).	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.86	Performance Specifications for Continuous Emission Monitoring of Total Hydrocarbons.	06/03/96	04/14/97, 62 FR 18046	
Section 1200-3-18-.87	Quality Control Procedures for Continuous Emission Monitoring Systems (CEMS).	05/18/93	02/27/95, 60 FR 10504	
Section 1200-3-18-.88-.99	(Reserved)	05/18/93	02/27/95, 60 FR 10504	

CHAPTER 1200-3-19 EMISSION STANDARDS AND MONITORING REQUIREMENTS FOR PARTICULATE AND SULFUR DIOXIDE NONATTAINMENT AREAS

Section 1200-3-19-.01	Purpose	04/30/96	07/30/97, 62 FR 40734	
Section 1200-3-19-.02	General Requirements	04/30/96	07/30/97, 62 FR 40734	
Section 1200-3-19-.03	Particulate and Sulfur Dioxide Nonattainment Areas within Tennessee.	04/30/96	07/30/97, 62 FR 40734	
Section 1200-3-19-.04	(Reserved)	04/30/96	07/30/97, 62 FR 40734	
Section 1200-3-19-.05	Operating Permits and Emission Limiting Conditions ..	04/30/96	07/30/97, 62 FR 40734	
Section 1200-3-19-.06	Logs for Operating Hours	04/30/96	07/30/97, 62 FR 40734	
Section 1200-3-19-.07-.10	(Reserved)	04/30/96	07/30/97, 62 FR 40734	
Section 1200-3-19-.11	Particulate Matter Emission Regulations for the Bristol Nonattainment Area.	04/30/96	07/30/97, 62 FR 40734	
Section 1200-3-19-.12	Particulate Matter Emission Regulations for Air Contaminant Sources in or Significantly Impacting the Particulate Nonattainment Areas in Campbell County.	04/30/96	07/30/97, 62 FR 40734	
Section 1200-3-19-.13	Particulate Emission Regulations for the Bull Run Nonattainment Area and Odoms Bend Nonattainment Area.	04/30/96	07/30/97, 62 FR 40734	
Section 1200-3-19-.14	Sulfur Dioxide Emission Regulations for the New Johnsonville Nonattainment Area.	04/16/97	09/13/99, 64 FR 49397	
Section 1200-3-19-.15	Particulate Matter Monitoring Requirements for Steam Electric Generating Units in the Bull Run and Odoms Bend Nonattainment Areas.	04/30/96	07/30/97, 62 FR 40734	
Section 1200-3-19-.16-.18	(Reserved)	04/30/96	07/30/97, 62 FR 40734	
Section 1200-3-19-.19	Sulfur Dioxide Regulations for the Copper Basin Nonattainment Area.	11/30/96	09/13/99, 64 FR 49398	

CHAPTER 1200-3-20 LIMITS ON EMISSIONS DUE TO MALFUNCTIONS, START-UPS, AND SHUTDOWNS

Section 1200-3-20-.01	Purpose	02/13/79	02/06/80, 45 FR 8004	
Section 1200-3-20-.02	Reasonable Measures Required	02/13/79	02/06/80, 45 FR 8004	
Section 1200-3-20-.03	Notice Required When Malfunction Occurs	12/09/81	06/24/82, 47 FR 27272	
Section 1200-3-20-.04	Logs and Reports	02/13/79	02/06/80, 45 FR 8004	
Section 1200-3-20-.05	Copies of Log Required	02/13/79	02/06/80, 45 FR 8004	
Section 1200-3-20-.06	Scheduled Maintenance	02/13/79	02/06/80, 45 FR 8004	
Section 1200-3-20-.07	Report Required Upon The Issuance of Notice of Violation.	02/13/79	02/06/80, 45 FR 8004	
Section 1200-3-20-.08	Special Reports Required	02/13/79	02/06/80, 45 FR 8004	
Section 1200-3-20-.09	Rights Reserved	02/13/79	02/06/80, 45 FR 8004	
Section 1200-3-20-.10	Additional Sources Covered	11/23/79	06/24/82, 47 FR 27272	

CHAPTER 1200-3-21 GENERAL ALTERNATE EMISSION STANDARD

Section 1200-3-21-.01	General Alternate Emission Standard	01/22/82	06/24/82, 47 FR 27272	
Section 1200-3-21-.02	Applicability	03/22/93	04/18/94, 59 FR 18310	

CHAPTER 1200-3-22 LEAD EMISSION STANDARDS

Section 1200-3-22-.01	Definitions	03/18/85	08/12/85, 50 FR 32412	
Section 1200-3-22-.02	General Lead Emission Standards	12/05/84	08/12/85, 50 FR 32412	
Section 1200-3-22-.03	Specific Emission Standards for Existing Sources of Lead.	01/26/00	10/29/01, 66 FR 44632	
Section 1200-3-22-.04	Standards for New and Modified Sources of Lead	12/05/84	08/12/85, 50 FR 32412	
Section 1200-3-22-.05	Source Sampling and Analysis	12/05/84	08/12/85, 50 FR 32412	
Section 1200-3-22-.06	Lead Ambient Monitoring Requirements	12/05/84	08/12/85, 50 FR 32412	

CHAPTER 1200-3-23 VISIBILITY PROTECTION

Section 1200-3-23-.01	Purpose	12/19/94	07/02/97, 62 FR 35681	
Section 1200-3-23-.02	Definitions	12/19/94	07/02/97, 62 FR 35681	
Section 1200-3-23-.03	General Visibility Protection Standards	12/19/94	07/02/97, 62 FR 35681	

TABLE 1.—EPA APPROVED TENNESSEE REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanation
Section 1200–3–23–.04	Specific Emission Standards for Existing Stationary Facilities.	12/19/94	07/02/97, 62 FR 35681	
Section 1200–3–23–.05	Specific Emission Standards for Existing Sources	12/19/94	07/02/97, 62 FR 35681	
Section 1200–3–23–.06	Visibility Standards for New and Modified Sources	12/19/94	07/02/97, 62 FR 35681	
Section 1200–3–23–.07	Visibility Monitoring Requirements	12/19/94	07/02/97, 62 FR 35681	
Section 1200–3–23–.08	Exemptions from BART Requirements	12/19/94	07/02/97, 62 FR 35681	
CHAPTER 1200–3–24 GOOD ENGINEERING PRACTICE STACK HEIGHT REGULATIONS				
Section 1200–3–24–.01	General Provisions	08/18/86	10/19/88, 53 FR 40881	
Section 1200–3–24–.02	Definitions	08/18/86	10/19/88, 53 FR 40881	
Section 1200–3–24–.03	Good Engineering Practice Stack Height Regulations Standards.	08/18/86	10/19/88, 53 FR 40881	
Section 1200–3–24–.04	Specific Emission Standards	08/18/86	10/19/88, 53 FR 40881	
CHAPTER 1200–3–27 NITROGEN OXIDES				
Section 1200–3–27–.01	Definitions	06/14/93	07/29/96, 61 FR 39326	
Section 1200–3–27–.02	General Provisions and Applicability	11/23/96	10/28/02, 67 FR 55320	
Section 1200–3–27–.03	Standards and Requirements	04/29/96	07/29/96, 61 FR 39326	
Section 1200–3–27–.04	Standards for Cement Kilns	07/23/03	01/22/04, 69 FR 3015	
Section 1200–3–27–.06	NO _x Trading Budget for State Implementation Plans	07/23/03	01/22/04, 69 FR 3015	
Section 1200–3–27–.09	Compliance Plans for NO _x Emissions From Stationary Internal Combustion Engines.	11/14/05	12/27/05, 70 FR 76401	
CHAPTER 1200–3–29 LIGHT-DUTY MOTOR VEHICLE INSPECTION AND MAINTENANCE				
Section 1200–3–29–.01	Purpose	07/08/94	07/28/95, 60 FR 38694	
Section 1200–3–29–.02	Definitions	12/29/94	08/26/05, 70 FR 50199	
Section 1200–3–29–.03	Motor Vehicle Inspection Requirements	12/29/94	08/26/05, 70 FR 50199	
Section 1200–3–29–.04	Exemption From Motor Vehicle Inspection Requirements.	12/29/94	08/26/05, 70 FR 50199	
Section 1200–3–29–.05	Motor Vehicle Emission Performance Test Criteria	12/29/94	08/26/05, 70 FR 50199	
Section 1200–3–29–.06	Motor Vehicle Anti-Tampering Test Criteria	12/29/94	08/26/05, 70 FR 50199	
Section 1200–3–29–.07	Motor Vehicle Emissions Performance Test Methods	12/29/94	08/26/05, 70 FR 50199	
Section 1200–3–29–.08	Motor Vehicle Anti-Tampering Test Methods	12/29/94	08/26/05, 70 FR 50199	
Section 1200–3–29–.09	Motor Vehicle Inspection Program	12/29/94	08/26/05, 70 FR 50199	
Section 1200–3–29–.10	Motor Vehicle Inspection Fee	12/29/94	08/26/05, 70 FR 50199	
Section 1200–3–29–.12	Area of Applicability	12/29/94	08/26/05, 70 FR 50199	
CHAPTER 1200–3–34 CONFORMITY				
Section 1200–3–34–.01	Conformity of Transportation Plans, Programs, and Projects.	03/21/02	05/16/03, 68 FR 25495	
CHAPTER 1200–3–36 MOTOR VEHICLE TAMPERING				
Section 1200–3–36–.01	Purpose	12/29/04	08/26/05, 70 FR 50199	
Section 1200–3–36–.02	Definitions	12/29/04	08/26/05, 70 FR 50199	
Section 1200–3–36–.03	Motor Vehicle Tampering Prohibited	12/29/04	08/26/05, 70 FR 50199	
Section 1200–3–36–.04	Recordkeeping Requirements	12/29/04	08/26/05, 70 FR 50199	
Section 1200–3–36–.05	Exemptions	12/29/04	08/26/05, 70 FR 50199	

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[FR Doc. E6-11615 Filed 7-21-06; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 648**

[Docket No. 060314069-6069-01; I.D. 071806D]

Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Closure of the Nantucket Lightship Scallop Access Area to Scallop Vessels

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Temporary rule; closure.

SUMMARY: NMFS announces the closure of the Nantucket Lightship Scallop Access Area (NLCA) to scallop vessels until June 15, 2007. This closure, effective 0001 hours on July 20, 2006, is based on a determination by the Northeast Regional Administrator (RA) that scallop vessels may attain the yellowtail flounder (YT) bycatch total allowable catch (TAC) for the NLCA on July 20, 2006. This action is being taken to prevent the scallop fleet from exceeding the YT bycatch TAC allocated to the NLCA for the 2006 scallop fishing year in accordance with the regulations implementing the Atlantic Sea Scallop Fishery Management Plan (FMP), Northeast (NE) Multispecies FMP and the Magnuson-Stevens Fishery Conservation and Management Act.

DATES: The closure of the NLCA to all scallop vessels is effective 0001 hr local time, July 20, 2006, until June 15, 2007.

FOR FURTHER INFORMATION CONTACT: Ryan Silva, Fishery Management Specialist, (978) 281-9326, fax (978) 281-9135.

SUPPLEMENTARY INFORMATION:

Commercial scallop vessels fishing in access areas are allocated 9.8-percent of the annual YT TACs established in the Northeast (NE) Multispecies FMP. Given current fishing effort by scallop vessels in the NLCA, the RA has made a determination that the NLCA YT TAC is projected to be attained on July 20, 2006. Pursuant to 50 CFR 648.60(a)(5)(ii)(C) and 648.85(c)(3)(ii), this **Federal Register** action notifies scallop vessel owners that, effective

0001 hours on July 20, 2006, scallop vessels are prohibited from declaring or initiating a trip into the NLCA until June 15, 2007.

If a vessel with a limited access scallop permit has an unused trip(s) into the NLCA, it will be allocated 4.9 additional open areas days-at-sea (DAS) for each unused trip. If a vessel has an unused compensation trip(s), it is allocated additional open area DAS based on estimated catch rates for the NLCA. The conversion rate from access area DAS to open area DAS for the NLCA is 0.41 per open area DAS. An access area DAS is equal to 1,500 lbs. A separate letter will be sent to notify vessel owners of their allocations for unused complete and/or compensation trips in the NLCA.

Classification

This action is required by 50 CFR part 648 and is exempt from review under Executive Order 12866.

This action closes NLCA to scallop vessels until June 15, 2007. The regulations at 50 CFR 648.59(a)(5)(ii)(C) and 648.85(c)(3)(ii) require such action to ensure that scallop vessels do not take more YT than set aside for the scallop fishery. The NLCA opened for the 2006 fishing year on June 15, 2006. Data indicating the scallop fleet has taken, or is projected to take, all of the NLCA YT TAC has only recently become available. To allow scallop vessels to continue to take trips in the NLCA during the period necessary to publish and receive comments on a proposed rule would result in vessels taking much more YT than allocated to the scallop fleet. Excessive YT harvest from the NLCA would result in excessive fishing effort on the Southern New England/Mid-Atlantic YT stock, where tight effort controls are critical for the rebuilding program. Should excessive fishing effort occur, future management measures may need to be more restrictive. Based on the above, under 5 U.S.C. 553(d)(3), proposed rule making is waived because it would be impracticable and contrary to the public interest to allow a period for public comment. Furthermore, for the same reasons, there is good cause under 5 U.S.C 553(d)(3) to waive the 30-day delayed effectiveness period for this action.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: July 18, 2006.

Alan D. Risenhoover,
Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. 06-6428 Filed 7-19-06; 2:04 pm]
BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 679**

[Docket No. 060216045-6045-01; I.D. 071806A]

Fisheries of the Exclusive Economic Zone Off Alaska; Yellowfin Sole in the Bering Sea and Aleutian Islands Management Area

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Temporary rule; apportionment of reserves; request for comments.

SUMMARY: NMFS apportions amounts of the non-specified reserve of groundfish to the yellowfin sole initial total allowable catch (ITAC) in the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to allow the fishery to continue operating. It is intended to promote the goals and objectives of the fishery management plan for the BSAI.

DATES: Effective July 24, 2006 through 2400 hrs, Alaska local time, December 31, 2006. Comments must be received at the following address no later than 4:30 p.m., Alaska local time, August 7, 2006.

ADDRESSES: Send comments to Sue Salvesson, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region, NMFS, Attn: Ellen Walsh. Comments may be submitted by:

- Mail to: P.O. Box 21668, Juneau, AK 99802;
- Hand delivery to the Federal Building, 709 West 9th Street, Room 420A, Juneau, Alaska;
- FAX to 907-586-7557;
- E-mail to bsairelys@noaa.gov and include in the subject line of the e-mail comment the document identifier: bsairelys; or
- Webform at the Federal eRulemaking Portal: www.regulations.gov. Follow the instructions at that site for submitting comments.

FOR FURTHER INFORMATION CONTACT: Josh Keaton, 907-586-7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the BSAI exclusive economic zone according to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management