

Act, these designations have been revised from time to time at a state's request.

On January 25, 1983 the Commonwealth of Puerto Rico's Environmental Quality Board (EQB) submitted to EPA a request to revise the air quality designation of the Guayanilla Air Basin from "does not meet secondary standards" to "better than national standards" with respect to the secondary national ambient air quality standard for particulate matter.

This redesignation request and the basis for EPA's approval are described in detail in a notice of proposed rulemaking which EPA published in the April 7, 1983 issue of the Federal Register (48 FR 15166). In this notice EPA advised the public that, based on its review of the technical material submitted by the EQB, it was proposing to approve EQB's redesignation request. Also in its April 7, 1983 notice, EPA invited interested persons to comment on any element of the subject proposal and on whether it meets Clean Air Act requirements. No comments were received.

Based on EPA's review of the technical materials submitted by the EQB in support of its request and based on the fact that EPA has previously approved the EQB particulate matter control strategy (45 FR 72658, November 3, 1980), EPA is approving the redesignation as requested. This action is being made effective immediately because a redesignation imposes no new or additional regulatory requirements and delay would serve no useful purpose.

Under Section 307(b)(1) of the Clean Air Act, judicial review of this action is available only by the filing of a petition for a review in the United States Court of Appeals for the appropriate circuit within sixty days of today. Under Section 307(b)(2) of the Clean Air Act, the requirements which are the subject of today's notice may not be challenged later in civil or criminal proceedings brought by EPA to enforce these requirements.

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

List of Subjects In 40 CFR Part 81

Air pollution control, National parks, Wilderness areas.

(Sec 107 and 301, Clean Air Act as amended [42 U.S.C. 7407, 7601])

Dated September 9, 1983
 William D. Ruckelshaus,
 Administrator, Environmental Protection Agency

PART 81—DESIGNATIONS OF AREAS FOR AIR QUALITY PLANNING PURPOSES

Title 40, Chapter I, Subchapter C; Part 81, Code of Federal Regulations is amended as follows:

PUERTO RICO—TSP

Designated area	Does not meet primary standards	Does not meet secondary standards	Cannot be classified	Better than national standards
Catano Air Basin ¹	X			
Municipality of Dorado			X	
Municipality of Ponce			X	
Remainder of AQCR				X

¹ Geographic boundary is described in the text.

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40 CFR Parts 413, 425, 433, 465, 466, 468, and 469

[WH-FRL 2432-6]

Electroplating, Leather Tanning and Finishing, Metal Finishing, Coil Coating, Porcelain Enameling, Copper Forming and Electrical and Electronic Components—Pretreatment Standards for Existing Sources Compliance Deadline

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; technical amendment

SUMMARY: This document amends various pretreatment standards for existing sources promulgated under the Clean Water Act and informs the public of a recent court order in the Clean Water Act Toxics Consent Decree case, *NRDC v. Ruckelshaus*, Nos. 2153-73 (and consolidated cases) (D.D.C. August 2, 1983).

DATE: These regulations shall be effective on September 15, 1983.

FOR FURTHER INFORMATION CONTACT: Linda Wilbur, Effluent Guidelines Division, (WH-552), EPA, 401 M Street SW, Washington, D.C. 20460, or by calling (202) 382-7113.

SUPPLEMENTARY INFORMATION: EPA has recently promulgated several pretreatment standards for existing sources (PSES) under the Clean Water Act, 33 U.S.C. 1251 *et seq.* Whenever the

Subpart C—Section 107 Attainment Status Designations

Section 81.355 is amended by amending the attainment status designation table for total suspended particulates as follows:

§ 81.355 Puerto Rico.

Agency promulgates such standards, it specifies a compliance deadline. In this regard, the Agency has been guided by Paragraph 10(b) of the Clean Water Act Toxics Consent Decree, *NRDC v. Train*, 12 ERC 1833 (D.D.C. 1979), which specified a compliance date for PSES of no later than June 30, 1984.

In several recent rulemakings, the Agency has found that existing indirect dischargers would need beyond June 30, 1984, to comply with the PSES. Both the Natural Resources Defense Council (NRDC) and EPA determined that the compliance deadline for PSES contained in paragraph 10(b) of the Decree was no longer consistent with the original intent of the parties. Accordingly, EPA and NRDC filed a joint motion to modify paragraph 10(b) of the Decree to allow EPA to specify a compliance deadline for PSES up to three years from the date such standards are promulgated. This is consistent with section 307(b) of the Clean Water Act, 33 U.S.C. 1317(b).

On August 2, 1983, the District Court granted EPA's and NRDC's joint motion. As modified, paragraph 10 of the Consent Decree now requires compliance with pretreatment standards for existing sources at the earliest possible time and in no event later than three years from the date such standards are promulgated, as specified by the Administrator. In each rulemaking EPA will make a finding supported on the record of the amount of time needed for existing indirect dischargers to comply.

In the following seven recently promulgated pretreatment standards for existing sources, the Agency determined that the industry would need beyond June 30, 1984 to comply:

Regulation	Compliance date
Leather tanning and finishing, 40 CFR 425.05, 47 FR 52848, 52872 (November 23, 1982)	Nov 25, 1985
Porcelain enameling, 40 CFR 468.04, 47 FR, 53172, 53185 (November 24, 1982)	Nov 25, 1985
Coil coating, 40 CFR 465.04, 47 FR, 54232, 54245 (December 1, 1982)	Dec 1, 1985
Electronic components electronic crystals subcategory, 40 CFR 469.21, 48 FR 15382, 15395 (April 8, 1983)	
TTO compliance deadline	July 1, 1984
Arsenic compliance deadline	Nov 8, 1985*
Copper forming, 40 CFR 468.04, 48 FR 36942, 36958 (August 15, 1983)	Aug 15, 1986
Electroplating/Metal Finishing, 40 CFR 413.01, 433.15, 48 FR 32462, 32482, 32487	
Electroplating PSES for Metals and Cyanide (Part 413)	April 27, 1984 (for nonintegrated plants)
	June 30, 1984 (for integrated plants)
Electroplating PSES (Part 413) for TTO ¹	July 15, 1986
Metal finishing PSES for TTO ¹	June 30, 1984 (except for plants covered by Part 420), July 10, 1985 (for plants covered by Part 420)
Metal finishing PSES for Metals, Cyanide and TTO ²	Feb. 15, 1986

¹ For these facilities the first TTO limit is based on management practices only.

² This TTO limit is based on management practices followed by precipitation/clarification.

In each of these cases, the Agency established a later compliance deadline for PSES and stated that this date would be effective only if the Court amended paragraph 10(b) of the Decree. Now that the Court has amended the Decree, the Agency is amending each of these standards to delete the reference to its motion to modify the Decree and avoid any confusion within the regulated community. The PSES compliance deadline for each of the standards shall be the date previously established in each of the individual rulemakings. This amendment has no effect on the compliance deadline for existing or new direct dischargers or new indirect dischargers under the Clean Water Act.

Because this is a technical amendment in full conformance with a recent court order, the Agency finds that there is good cause to promulgate these amendments without prior notice and an opportunity to comment and to make these amendments effective immediately upon publication.

Under Executive Order 12291, EPA must judge whether a regulation is major and therefore subject to the requirement for a Regulatory Impact Analysis. These technical amendments are not major because they impose no new obligation and merely recognize a recent court order. Because this is a minor technical

amendment which does not affect the substance of these regulations, it was not submitted to the Office of Management and Budget for review under Executive Order 12291.

Under the Regulatory Flexibility Act, 5 U.S.C. 601 et seq., EPA must prepare a Regulatory Flexibility Analysis for all proposed regulations that have a significant impact on a substantial number of small entities. Although these amendments are not subject to this requirement because they are not being proposed, EPA has determined that for the reasons discussed above, they do not have a significant impact on small entities.

List of Subjects

40 CFR Part 425

Leather tanning, Leather and leather products industry, Water pollution control, Waste treatment and disposal.

40 CFR Part 465

Coil coating, Metal coating and allied services, Waste treatment and disposal, Water pollution control.

40 CFR Part 466

Metal coating and allied services, Porcelain enamel, Waste treatment and disposal, Water pollution control.

40 CFR Part 468

Copper forming, Waste treatment and disposal, Water pollution control.

40 CFR Part 469

Electrical and electronic products, Electric and electronic equipment, Waste treatment and disposal, Water pollution control.

40 CFR Parts 413 and 433

Electroplating, Metals, Waste treatment and disposal, Water pollution control.

Dated September 7, 1983.

Rebecca W. Hanmer,

Acting Assistant Administrator for Water

PARTS 413, 425, 433, 465, 466, 468, and 469—[AMENDED]

In consideration of the foregoing the following parts are amended:

§§ 413.01, 433.15, 465.04, 466.04, and 468.04 [Amended]

1. 40 CFR 413.01(a), 433.15(f), 465.04, 466.04, 468.04, are amended by removing footnote 1.

§§ 425.05 and 469.21 [Amended]

2. 40 CFR 425.05 and 469.21 are amended by removing the following three sentences: "The Consent Decree in *NRDC v. Train*, 12 ERC 1833 (D.D.C.

1979) specifies a compliance date for PSES of no later than June 30, 1984. EPA will be moving for a modification of that provision of the Decree. Should the Court deny that motion, EPA will be required to modify this compliance date accordingly."

[FR Doc 83-25152 Filed 9-14-83, 8:45 am]

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FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 64

[Docket No. FEMA 6559]

Suspension of Community Eligibility Under the National Flood Insurance Program; New Jersey et al.

AGENCY: Federal Emergency Management Agency, FEMA.

ACTION: Final rule

SUMMARY: This rule lists communities, where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP), that are suspended on the effective dates listed within this rule because of noncompliance with the flood plain management requirements of the program. If FEMA receives documentation that the community has adopted the required flood plain management measures prior to the effective suspension date given in this rule, the suspension will be withdrawn by publication in the *Federal Register*. **EFFECTIVE DATES:** The third date ("Susp.") listed in the fourth column.

FOR FURTHER INFORMATION CONTACT: Richard W. Krimm, Assistant Associate Director, Office of Natural and Technological Hazards Programs, (202) 287-0176, 500 C Street, Southwest, Donohoe Building—Room 506, Washington, D.C. 20472.

SUPPLEMENTARY INFORMATION: The National Flood Insurance Program (NFIP), enables property owners to purchase flood insurance at rates made reasonable through a Federal subsidy. In return, communities agree to adopt and administer local flood plain management measures aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended (42 U.S.C. 4022) prohibits flood insurance coverage as authorized under the National Flood Insurance Program (42 U.S.C. 4001-4128) unless an appropriate public body shall have adopted adequate flood plain management measures with effective