Title 39—Postal Service
CHAPTER I—U.S. POSTAL SERVICE
PART 111—GENERAL INFORMATION ON POSTAL SERVICE
Contractor Use of Agency Official Mail; Miscellaneous Revisions in Regulations Governing Official Mail Privilege of Federal Agencies

Correlation
In FR Doc. 77-18435, appearing at page 24266 in the issue of May 13, 1977, in the second column on page 24270, immediately before the last paragraph which begins "(1) Application;", insert the phrase "c. Controlled Circulation".

Title 40—Protection of Environment
CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY
SUBCHAPTER C—AIR PROGRAMS

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS
Iowa: Approval and Disapproval of Plan Revisions
AGENCY: Environmental Protection Agency (EPA).
ACTION: Final Rule.

SUMMARY: This document formally approves revised air pollution control regulations as part of the Iowa State Implementation Plan (SIP). Two subrules are disapproved. Approval of the regulations means they can be enforced by the EPA as well as the State.

EFFECTIVE DATE: June 1, 1977.

FOR FURTHER INFORMATION CONTACT:

SUPPLEMENTARY INFORMATION:
On May 1, 1972 (37 FR 10665), pursuant to section 110 of the Clean Air Act and 40 CFR Part 51, the Administrator approved, with specific exceptions, the State of Iowa plan for the implementation of the National Ambient Air Quality Standards (NAAQS). On November 5, 1976 (41 FR 48759), the agency announced that the State proposed to revise its implementation plan by making a number of amendments to the Iowa Rules and Regulations Relating to Air Pollution Control. These amendments were adopted in public hearings after public notice by the Iowa Air Quality Commission (IAQC). On March 11, 1977, the agency approved the State's revisions.

The amendments to the Iowa State Implementation Plan affect all divisions of the DEQ. The significant changes are discussed below. On March 10, 1977, a new Chapter 52 of the Iowa Administrative Code was adopted by the Executive Committee, establishing a procedure for release, upon request, of information submitted to the DEQ. The procedure provides for confidentiality treatment of data which are subject to a valid claim of confidentiality and specifically exempts air emissions data from confidential treatment. The chapter was made effective on January 19, 1976.

In accordance with the above action, the IAQC abolished its own regulation 2.1(4), "Confidentiality," effective February 16, 1976.

Chapter 3, of the Air Pollution Control Regulations, is amended to require the director, upon written request, to determine the acceptability of the location of proposed new equipment.

Chapter 3 now also requires that permit applications be complete before the 60-day limit for approval or denial begins. The director can now require new permits for portable equipment which has been moved, as well as for modifications to existing stationary sources. He can also require additional control equipment on a portable source if, in its new location, it will prevent or control maintenance of ambient air quality standards.

Exempted from permit requirements are fuel gas, except for central stationary sources that are assigned to the equipment, equipment which eliminates all emissions to the atmosphere, and equipment which emits odors, unless it also emits particular matter or other air contaminants.

According to Chapter 3, variances from New Source Performance Standards (NSPS) are not allowed.

Chapter 4, "Emission Standards," is amended to include, by reference, the federal NSPS for electric arc furnaces promulgated September 23, 1976 (40 FR 48869), and also by reference, any changes made before December 31, 1976, in the previously adopted NSPS.

The director is now allowed to impose an exhaust gas limit of 0.1 gram of particulate matter per standard cubic foot on any process which, though meeting the emission limits of the process weight rate table, will cause air pollution, as defined by Iowa State law.

This Chapter 14, "Rules of Practice," has been adopted. This chapter specifies an organization for the IAQC, its general methods of operation, rules of practice, and provides a description of the various forms used by the DEQ Air Quality Management Division.

The above revisions to Chapters 2, 3, 4 and 14 were adopted by the IAQC on February 12, 1976, and became effective April 26, 1976.

A section of Chapter 14, describing a reporting form provided to owners of vehicles which have been cited for violation, has been recently changed to specifically make submission of the form voluntary rather than mandatory. This corrects an error in the original printing of Chapter 14. The corrected version became effective June 7, 1976.

Section 4.3(3) is amended to increase the sulfur dioxide (SO2) emission limit to 8-pounds-per-million Btu heat input for existing solid fuel-burning sources over 500-million-Btu-per-hour.
heat input except for those sources located in specified counties of the State. A limit of 6-pounds-per-million Btu heat input applies to sources over 500-million Btu per year heat input located in the following counties: Black Hawk (Waterloo); Clinton (Clinton); Des Moines (Burlington); Dubuque (Dubuque); Jackson (Lone Rock Rapids); Louisa, Muscatine, and Scott (Davenport). A 6-pound limit is in effect statewide for new sources under 250-million Btu per year.

It should be noted that the presently approved SIP emission limit for SO2 from solid fuel-burning sources is 5-pounds-per-million Btu heat input. The State adopted a 6-pound limit, but requested that EPA not take action approving it as part of the SIP pending further revision of the regulations. The regulation adopted by the State is intended to supplant both the previous State regulation of 6-pounds-per-million Btu and the federally approved SIP regulation of 5-pounds-per-million Btu.

Liquid fuel-burning sources are limited to 2.5 pounds of SO2-per-million Btu except for sources subject to NSPS.

Once a violation of the SO2 ambient standards has occurred, the director may subject any within 20 kilometers of that particular monitoring site to a 6-pounds-per-million Btu emission limit rather than the 8-pound limit.

The revisions to Section 4.3(3) were adopted April 15, 1976, and became effective July 19, 1976.

In addition to the above revisions, the State has made a number of revisions in the codification of the regulations. These changes are minor changes that do not affect the control strategy in the SIP.

In the notice of proposed rulemaking, public comment was solicited with regard to Iowa's amended regulations and the opportunity to request public hearing was provided. Copies of the materials submitted by the State were made available for public review at the Region VII office in Kansas City, Missouri; EPA headquarters in Washington, D.C.; and at the office of the Iowa DEQ. No requests for public hearing were received from the Iowa Manufacturers Association and the Iowa DEQ. Both commenters supported the proposed revisions to Section 4.3(3). In addition, the DEQ offered additional technical information in support of these revisions.

The challenge filed by the Administrator for review of the Iowa petitions, including categorical or source specific-emission limitations and supporting air quality demonstrations pursuant to the call for revisions made on July 16, 1976 (41 FR 29479). The implementation of the revisions by the Director under Subrule 4.3(2) may result in emission limitations which are sufficient to attain NAAQS for particulate matter, in which case the plan revisions would be corrected upon submission to, and approval by, the Administrator as those more stringent emission limitations. However, since the limitations under Subrule 4.3(2) are not federally enforceable until approved by the Administrator as plan revisions, and since it cannot be determined now whether exercise of Subrule 4.3(2) would result in sufficient control to attain and maintain NAAQS, the deficiencies identified in the July 16, 1976, call for revisions for particulate matter cannot be considered to have been corrected by this rule.

The exception to Subrules 4.3(3) a(1) and 4.3(3) a(5) the revisions are determined to meet the requirements of section 110 and 40 CFR Part 51. Accordingly, with the exception of the specified amendments to Chapter 4, which are disapproved, this plan revision is hereby approved and made a part of the State of Iowa implementation plan.


DOUGLAS M. COSTLE,
Administrator.

Part 52 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

Subpart Q—Iowa

1. Section 52.820 is amended by adding paragraphs (c) (25) and (c) (26) as follows:

(c) The plan revisions listed below were submitted on the dates specified:

(25) Revisions to Rules 1.2, 2.1, 3.1, 4.1, 4.3, 4.4, and new Chapters 14 and 52 of the Iowa Administrative Code Related to Air Pollution Control were submitted June 9, 1976, by the Department of Environmental Quality (Non-regulatory).

(c) The plan revisions listed below were submitted on the dates specified:

(26) Additional air quality modeling to support the sulfur dioxide emission standards of Subrules 4.3(3)(a)(1) and 4.3(3)(a)(2) was submitted March 4, 1977, by the Department of Environmental Quality (Non-regulatory).

[DPR Doc.77-15478 Pub.5-51-77;8:45 am]

[FRL 730-5]

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Approval of Revisions to the Texas Plan

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: This action approves revisions to Rules 23 and 24 of the General Rules of the State Implementation Plan (SIP) for Texas. The rules as revised reflect the requirement of applicable sources to comply with New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAPs). Approval of the SIP revisions will help to ensure compliance with NSPS and NESHAPs requirements by applicable sources.

EFFECTIVE DATE: May 27, 1977.

FOR FURTHER INFORMATION CONTACT:

Oscar Cabra, Jr., Air Program Branch, Environmental Protection Agency, Region VI, Dallas, Texas 75270 (214-749-5837).

SUPPLEMENTARY INFORMATION: On May 9, 1976, the Governor of Texas submitted revisions to Rules 23 and 24...