

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 50

[Docket Number OAQPS A-80-60; AD-FRL-1983-5]

National Primary and Secondary Ambient Air Quality Standards

AGENCY: Environmental Protection Agency.

ACTION: Final rulemaking.

SUMMARY: As a result of the review of the hydrocarbon criteria, EPA revokes the primary (health) and secondary (welfare) national ambient air quality standards (NAAQS) for hydrocarbons. The rule (40 CFR 50.10) has been found to be technically inadequate. The intended effect of this revocation is to eliminate unnecessary regulations pertaining to ambient air quality.

EFFECTIVE DATE: This action is effective January 5, 1983.

ADDRESSES: A docket (Number OAQPS A-80-60) containing information used by EPA in revising the standards is available for public inspection and copying between 8:00 a.m. and 4:30 p.m., Monday through Friday at EPA's Central Docket Section, West Tower Lobby, Gallery I, Waterside Mall, 401 M Street, S.W., Washington, D.C. A reasonable fee may be charged for copying. The final review document on hydrocarbons, *Review of Criteria for Vapor-Phase Hydrocarbons*, EPA-600/8-80-45 (August 1980) is now available from: U.S. Department of Commerce, National Technical Information Service, 5285 Port Royal Road, Springfield, Virginia 22161. (PB 82-136516; A14 paper, \$24; A01 micro, \$4).

FOR FURTHER INFORMATION CONTACT: Dr. David McKee, Ambient Standards Branch, Strategies and Air Standards Division, Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, Telephone: (919) 541-5655 (FTS 629-5655).

SUPPLEMENTARY INFORMATION: On May 8, 1981, EPA proposed to revoke the NAAQS for hydrocarbons (46 FR 25655). The proposal notice set forth the rationale for revoking the standards and detailed background information relating to the proposal.

Prior to proposal, EPA solicited public comments on a draft document, initially entitled *Facts and Issues Relating to the Need for a Hydrocarbon Criteria Document*. The final version of the document, entitled *Review of Criteria for Vapor-Phase Hydrocarbons*, was published in connection with the

proposal to revoke the standards. As discussed in the proposal notice, the hydrocarbons review document was also discussed at a public meeting of the Clean Air Scientific Advisory Committee (CASAC) of EPA's Science Advisory Board on March 17, 1980 in Washington, D.C. At that meeting, CASAC members concluded that hydrocarbons, as a class, do not cause adverse health or welfare effects at or near ambient levels.

Summary of Rationale for Revocation of Primary and Secondary Standards

As more fully discussed in the proposal notice, the NAAQS for hydrocarbons are unique among the seven pollutants or classes of pollutants for which NAAQS have been established in the following respects: (1) The NAAQS were not based on direct health or welfare effects of hydrocarbons, either singly or as a class; (2) the NAAQS were intended to serve solely as a guide in helping States determine the extent of hydrocarbon emission reductions necessary for attainment of the original NAAQS for photochemical oxidants; and (3) they were not intended to have the same regulatory status and functions as other NAAQS. For these reasons, no State Implementation Plans for attainment of NAAQS for hydrocarbons have been required and only limited monitoring of ambient non-methane hydrocarbons has been required.

EPA's recent review of hydrocarbon criteria indicated that although hydrocarbons in ambient air are major precursors to ozone and other photochemical oxidants, no consistent quantitative relationship exists nationwide between ambient air ozone concentrations and hydrocarbon air quality levels. Accordingly, the original basis for the NAAQS for hydrocarbons can no longer serve to justify retaining them as a guide for attainment of the ozone standards.

A review of the literature since 1970 has confirmed that hydrocarbons, as a class, do not appear to cause adverse health or welfare effects at the present ambient air levels. Thus, there is presently no direct health or welfare basis for retaining the NAAQS for hydrocarbons. Nonetheless, hydrocarbons should continue to be controlled or restricted because of their contribution to the formation of ozone and the resultant health and welfare effects of this pollutant and other photochemical oxidant products. Specific hydrocarbons which are shown to cause adverse effects can be regulated separately.

Summary of Comments Received

Only fifteen comments have been received on the proposal to revoke the NAAQS for hydrocarbons, all of which supported the proposed action.

Final Action

For the reasons stated above and in the notice of proposed rulemaking published on May 8, 1981, EPA has decided to revoke the NAAQS for hydrocarbons. Because this action relieves a restriction, it will take effect immediately upon publication. As discussed in the proposal notice, this action will not restrict EPA or state authority to regulate emissions of hydrocarbons as a class, particular hydrocarbon compounds, or any other volatile organic compounds that may be found to pose a threat to public health or welfare, and it does not alter current monitoring requirements.

Regulatory Impact

Under Executive Order 12291, EPA must judge whether a regulation is "Major" and, therefore, subject to the requirement of a Regulatory Impact Analysis. This action is *not* major because it involves revocation of a standard or guide, which itself has required only limited regulatory costs. Revocation will result in no increased regulatory costs. Revocation is also expected to have no effect on competition, employment, investment, productivity, innovation, or the competitive ability of United States-based enterprises.

EPA has also determined that this action will not have an economic impact on small entities. Accordingly, the Agency has determined that the preparation of a regulatory flexibility analysis, as defined by the Regulatory Flexibility Act, Pub. L. 96-354, 5 U.S.C. 601-602, is unnecessary.

This notice was submitted to the Office of Management and Budget (OMB) for review under Executive Order 12291.

List of Subjects in 40 CFR Part 50

Air pollution control, Carbon monoxide, Hydrocarbons, Ozone, Sulfur oxides, Particulate matter, Nitrogen dioxide, Lead.

Dated: December 29, 1982.

John W. Hernandez,
Acting Administrator.

PART 50—NATIONAL PRIMARY AND SECONDARY AMBIENT AIR QUALITY STANDARDS

For the reasons set forth in the preamble, EPA amends Title 40, Chapter

I. Part 50, of the Code of Federal Regulations as follows:

1. The authority citation for Part 50 is revised to read as follows:

Authority: Sec. 109, Clean Air Act, as amended 42 U.S.C. 7409.

2. The table of contents for Part 50 is amended by revising the entry for § 50.10 to read as follows:

Sec.

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50.10 [Reserved]

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3. Section 50.10 is removed and reserved.

§ 50.10 [Removed and Reserved]

[FR Doc. 83-186 Filed 1-4-83; 8:45 am]

BILLING CODE 5560-50-M