Under Executive Order 12291, EPA must judge whether a rule is "major" and therefore subject to the requirement of a Regulatory Impact Analysis. This rule is not "major" because it only approves State actions and imposes no additional substantive requirements which are not currently applicable under State law. Hence it is unlikely to have an annual effect on the economy of $100 million or more, or to have other significant adverse impacts on the national economy.

This rule was submitted to the Office of Management and Budget (OMB) for review as required by Executive Order 12291.

Pursuant to the provisions of 5 U.S.C. 605(b) the Administrator has certified that SIP approvals under Section 110 and 172 of the CAA will not have a significant economic impact on a substantial number of small entities. The attached rule, if promulgated, constitutes a SIP approval under Sections 110 and 172 of the Clean Air Act. This action only approves state actions. It imposes no new requirements.

Dated: July 14, 1981.

William W. Rice,

Acting Regional Administrator.

[FR Doc. 81-25326 Filed 8-28-81; 8:45 am]

BILLING CODE 6560-38-M

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40 CFR Part 52

[A-5-FRL-1918-5]

Approval and Promulgation of State Implementation Plan; Michigan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rulemaking.

SUMMARY: On July 28, 1980, the State of Michigan submitted to EPA as a revision to its SIP an amendment to Michigan Air Pollution Control Commission Rule 221 (Amended Rule 221) which regulates the State's new source review program. The Amended Rule 221 is designed to relax the offset requirements placed on certain proposed new sources of total suspended particulates and sulfur dioxide. The purpose of today's notice is to propose approval and solicit public comment on this revision to the Michigan State Implementation Plan (SIP).

DATE: Comments on the revision and on EPA's proposed rulemaking are due by September 30, 1981.

ADDRESSES: Copies of this SIP revision are available for public inspection during normal business hours at the following addresses:

United States Environmental Protection Agency, Region V, 230 South Dearborn, Chicago, Illinois 60604.

United States Environmental Protection Agency, Public Information Reference Unit, 401 M Street SW., Washington, D.C. 20460.

Michigan Department of Natural Resources, Air Quality Division, State Secondary Government Complex, General Office Building, 7150 Harris Drive, Lansing, Michigan 48917

Written comments should be sent to:

Mr. Gary Gulezian, Chief, Regulatory Analysis Section, Air Programs Branch, U.S. Environmental Protection Agency, 230 South Dearborn Street, Chicago, Illinois 60604

FOR FURTHER INFORMATION CONTACT: Mr. Richard Clarizio, Regulatory Analysis Section, Air Programs Branch, U.S. Environmental Protection Agency, 230 South Dearborn Street, Chicago, Illinois 60604, (312) 886-6038.

SUPPLEMENTARY INFORMATION: Part D of the Clean Air Act, as amended in 1977, requires each State to revise its SIP to meet specific requirements for areas designated as not attaining the National Ambient Air Quality Standards (NAAQS). These SIP revisions must demonstrate attainment of the NAAQS by December 31, 1982, and in certain circumstances, no later than December 31, 1987, for ozone and carbon monoxide. The requirements for an approvable SIP are described in a Federal Register notice published April 4, 1979, (44 FR 20372). Supplements to the April 4, 1979 notice were published on July 2, 1979, (44 FR 38583); August 28, 1979, (44 FR 50371); September 17, 1979, (44 FR 53761); and November 23, 1979, (44 FR 67182).

Section 173 of the Clean Air Act (Act) requires each State to develop, for the nonattainment areas, a program which will accommodate for new source growth and ensure that reasonable further progress is made toward attainment of the standards. Such a program is commonly referred to as a new source review (NSR) program.

Section 173 requires, among other things, that the NSR program provide for new source growth either through an emissions offset program or by a planned margin for growth. Under the offset program, any proposed new major source or major modification which will increase emissions must, prior to constructing in the area, obtain from an existing source(s) in the area a decrease in emissions which offsets the proposed new source's increased emissions. If the offset approach is chosen, the NSR program must also ensure that the offsets are sufficient to ensure reasonable further progress (RFP) towards attainment of the appropriate air quality standard by the statutory date.

Michigan's NSR program is embodied in Rule 221. In the May 6, 1980, Federal Register (45 FR 29790), EPA approved Michigan's NSR program. The Michigan NSR program is designed to accommodate for new source growth through an emissions offset program. Rule 221 requires that any increase in emissions from a proposed new major source or major modification be offset by a greater than one-to-one decrease in emissions from another source located in the area. For proposed new sources which emit either particulate matter or sulfur dioxide, an offset must also be procured for minor new sources.

On July 28, 1980, Michigan submitted to EPA, as a SIP revision, an Amended Rule 221. Amended Rule 221 proposes to exempt certain sources of particulate matter and sulfur dioxide from the offset requirements. The sources which will be exempted are those which have allowable emissions which are less than 50 tons per year and 1,000 pounds per day. In all other respects, Amended Rule 221 is identical to the version of rule 221 approved by EPA on May 6, 1980.

On May 6, 1981, EPA approved Rule 221. EPA's approval of the offset requirement for the 50 tons/1,000 pounds per day sources was based on its determination that this requirement provided additional assurances in the TSP and SO_2 nonattainment areas that RFP would be achieved. In reviewing Amended Rule 221, EPA focused its attention on whether the rule still satisfied the RFP requirements of Section 173 of the Act. For the following reasons, EPA believes that it does. Amended Rule 221 still specifies that, for any proposed new major source or any new major modification which is located in a TSP or SO_2 nonattainment area, a minimum offset ratio of greater than one-to-one is required. Further, the Rule specifies that the offset ratio of any proposed new major source must be sufficient to ensure a net air quality benefit and RFP in the area. Although the previously approved offset requirements of Rule 221 provided additional assurances that RFP would be achieved in SO_2 and TSP nonattainment areas, EPA believes that Amended Rule 221 is sufficient to satisfy the RFP requirements of the Act. Therefore, EPA proposes to approve Amended Rule 221.

All interested persons are invited to comment on this revision to the Michigan SIP and on EPA's proposed action. Comments should be submitted to the address listed in the front of this notice. Public comments received before September 30, 1981, will be considered in EPA's final rulemaking. All comments received will be available for inspection at the Region V, Air Programs Branch,

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230 South Dearborn Street, Chicago, Illinois 60604.

Pursuant to the provisions of 5 U.S.C. Section 605(b), the Administrator, on January 27, 1981, (46 FR 8709), certified that approvals or conditional approvals issued pursuant to Sections 110 and 172 of the Act, if promulgated, would not have a significant economic impact on a substantial number of small entities. Because this proposal approves a State action taken pursuant to Section 110 of the act, it falls within this certification.

Under Executive Order 12291 (Order), EPA must judge whether a regulation is "major" and, therefore, subject to the preparation of a regulatory impact analysis. Today's action does not constitute a major regulation because it merely approves a regulation which was developed by the State. This proposed rulemaking was submitted to the Office of Management and Budget (OMB) for review as required by the Order.

(Section 110 of the Clean Air Act (42 U.S.C. 7410))

Dated: July 24, 1981.

Valdas V. Adamkus,

Acting Regional Administrator.

[FR Doc. 81-25330 Filed 8-28-81; 8:45 am]

BILLING CODE 6560-38-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

[Docket No. FEMA-6128]

National Flood Insurance Program; Proposed Flood Elevation Determinations

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below and proposed changes to base flood elevations for selected locations in the nation. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in each community.

ADDRESSES: See table below.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, Federal Emergency Management Agency, Federal Insurance Administration, National Flood Insurance Program, (202) 755-5585, Washington, D.C. 20472.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for selected locations in the nation, in accordance with Section 110 and Section 206 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 44 CFR 67.4.

These elevations, together with the flood plain management measures required by § 60.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its won, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

Pursuant to the provisions of 5 U.S.C. 605(b), the Administrator, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that the proposed flood elevation determinations, if promulgated, will not have a significant economic impact on a substantial number of small entities. A flood elevation determination under section 1363 forms the basis for new local ordinances, which, if adopted by a local community, will govern future construction within the flood plain area. The elevation determinations, however, impose no restriction unless and until the local community voluntarily adopts flood plain ordinances in accord with these elevations. Even if ordinances are adopted in compliance with Federal standards, the elevations prescribe how high to build in the flood plain and do not proscribe development. Thus, this action only forms the basis for future local actions. It imposes no new requirement; of itself is has no economic impact.

PART 67—APPEALS FROM PROPOSED FLOOD ELEVATION DETERMINATIONS

The proposed base (100-year) flood elevations for selected locations are:

Proposed Base (100-Year) Flood Elevations

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
California	Rio Vista (City), Solano County	Industrial Creek	400' south of western end of runway at Rio Vista Airport.	#2
Maps available for inspection at City Engineer's Office, City Hall, 1 Main Street, Rio Vista, California. Send comments to the Honorable Milton Wallace, 1 Main Street, Rio Vista, California 94571.				
Massachusetts	Bedford, Town, Middlesex County	Concord River	Downstream Corporate Limits	*120
			Upstream Corporate Limits	*120
		Shawsheen River	Downstream Corporate Limits	*98

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