

Dated: May 9, 1984.
William D. Ruckelshaus,
Administrator.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Subpart X—Michigan

Section 52.1170 is amended by adding paragraph (c)(76) as follows:

§ 52.1170 Identification of plan.

* / * * * *

(c) * * *

(76) On August 24, 1983, the State of Michigan submitted a State Implementation Plan (SIP) revision request for an extension of the compliance date for Boiler No. 2 for the General Motors Corporation Warehousing and Distribution Division, in Swartz Creek County. Consent Order No. 18-1981 extends the compliance date until October 15, 1985 for GMC to install mechanical collectors on Boiler No. 2.

(Secs. 110 and 172 of the Clean Air Act, as amended (42 U.S.C. 7410)).

[FR Doc. 84-13133 Filed 5-15-84; 8:45 am]
BILLING CODE 6560-50-M

40 CFR Part 529

[AD-FRL 2589-1]

Michigan; Approval and Promulgation of Implementation Plans

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of final rulemaking.

SUMMARY: The purpose of today's rulemaking is to approve and incorporate into the Michigan SIP additional control measures to attain and maintain the secondary particulate standard in Muskegon County. The control measures consist of (1) Consent Order APC No. 12-1979 for CWC Castings Division of Textron, Inc. and (2) a rule, Article 14 of Section J of Michigan County Air Pollution Control Rules, against open burning in Muskegon County. EPA believes that approval of these control measures will result in improvement in total suspended particulates (TSP) air quality in Muskegon County.

EFFECTIVE DATE: This action will be effective July 16, 1984, unless notice is received within 30 days that someone wishes to submit critical comments.

ADDRESSES: Copies of this SIP revision, are available for review at the following addresses:

U.S. Environmental Protection Agency,
Air and Radiation Branch, Region V

230 South Dearborn Street, Chicago
Illinois 60604
Michigan Department of Natural
Resources Air Quality Division, State
Secondary Government Complex,
General Office Building, 7150 Harris
Drive, Lansing, Michigan 48910
Public Information Reference Unit, EPA
Library, 401 M Street SW.,
Washington, D.C.

Office of the Federal Register, 1100 L
Street, Room 8401, Washington, D.C.

Written Comments should be sent to:
Gary Gulezian, Chief, Regulatory
Analysis Section, Air and Radiation
Branch, (5AR-26), U.S. Environmental
Protection Agency, Region V, 230 South
Dearborn Street, Chicago, Illinois 60604

FOR FURTHER INFORMATION CONTACT:
Tom Lesser, (312) 886-6037

SUPPLEMENTARY INFORMATION: On
January 19, 1981, the State of Michigan
submitted Consent Order APC No. 12-
1979 between CWC Castings Division of
Textron and the Michigan Air Pollution
Control Commission (MAPCC) as a SIP
revision to comply with the applicable
requirements of the 1977 amendments to
the Clean Air Act (ACT) for Muskegon
County. To satisfy those requirements,
Michigan committed to submit a final
study of the Muskegon secondary
particulate nonattainment area and to
develop enforceable consent orders or
additional emission limitations.

Consent Order APC No 12-1979, as
submitted on January 19, 1981, for the
CWC Casting Division of Textron, Inc.
required reductions of point source
emissions and fugitive emissions from
Plants 1, 3, 4, and 5-7. In addition,
Consent Order APC No. 12-1979 was
designed to help alleviate the high
ambient concentrations in Muskegon
County where the facility is located.

On March 8, 1982, the State of
Michigan submitted a copy of Muskegon
County Air Pollution Control Rules and
Regulations, amended March 27 1973
concerning open burning, as part of its
SIP. Article 14 of Section J of such
regulation prohibits open burning in
Muskegon County.

Under section 107 of the Act, a portion
of Muskegon County has been
designated an area of nonattainment for
the secondary total suspended
particulate (TSP) standard. There are
seven significant sources of particulate
emissions located within this
nonattainment area, but only three of
the sources (all owned by the CWC
Castings), were determined to be
dominant contributors to the monitored
violations.

On January 14, 1982, EPA prepared a
Technical Support Document (TSD)
reviewing the State's TSP strategy for

Muskegon. Michigan's strategy to attain
and maintain the secondary TSP
standard in the Muskegon
nonattainment area consists of (1) A
specific consent order for CWC Castings
that requires emission reductions, and
(2) a ban on open residential and leaf
burning in Muskegon County (Article 14,
Section J of the Muskegon County Air
Pollution Commission Rules).

On October 4, 1983, the State of
Michigan submitted alterations to
Consent Order APC No. 12-1979 for the
CWC Castings Division of Textron, Inc.
The alterations to the consent decree
require CWC Castings to adopt the
following control measures:

(1) Install additional control device to
reduce emissions from each charge door
at cupola in Plant 3 and at east cupola in
Plant 5. These devices shall be in
operation by December 31, 1984, and
shall be tested for compliance by
February 15, 1985.

(2) Install additional demisting section
after each venturi scrubber at Plant 3
cupola and at Plant 5 east cupola to
eliminate the spotting of cars and other
surfaces in the vicinity of the facilities.
These demisters shall be operational by
December 31, 1984 and be tested for
compliance by May 1, 1985.

(3) Delete the requirement for
installation of secondary collectors (wet
caps) designed to reduce emissions
during malfunction of the venturi
scrubbers at Plant 3 cupola and at Plant
5 east cupola. In exchange for this
deletion, the cupolas are required to
shutdown immediately during
malfunctions instead of being allowed to
operate for the next 72 hours.

The altered consent decree extends
the installation schedule of the specified
control devices to December 31, 1984.
Other control measures required by the
original decree have already been
completed. For reasons of public
welfare, the alterations are expected to
provide further emission reduction to
the Muskegon strategy designed to
attain and maintain the secondary
particulate standards. The impacts of
these alterations on the strategy are
positive and, therefore, beneficial to air
quality.

A review of the 1980-1982 monitoring
data indicates that in 1982 there was a
single violation of the secondary TSP
standard in Muskegon County. This
single violation is an improvement to the
multiple violations in previous years,
however, the State still lacks an
approvable attainment demonstration
for Muskegon County, and for this
reason EPA is taking no rulemaking
action on the adequacy of the overall

Part D secondary TSP attainment plan for Muskegon County.

EPA has reviewed Michigan's control measures consisting of (1) Altered Consent Order APC No. 12-1979 and (2) rule on open burning ban in Muskegon County to attain and maintain the secondary TSP standard. EPA believes that altered Consent Order APC No. 12-1979 contains enforceable emission limitations and control measures which will contribute to the attainment of the secondary particulate standards. EPA also believes that the rule on open burning ban is enforceable, effective and will result in air quality improvement.

EPA is today approving the additional enforceable control measures contained in Consent Order APC No. 12-1979 and the open burning ban rule. EPA is taking no action at this time on the overall approval of Michigan's Part D secondary nonattainment area for Muskegon County. EPA believes that this approval is a noncontroversial and routine action, and we are approving it today without prior proposal. This action will be effective on July 16, 1984. However, if EPA is notified by June 15, 1984 that someone wishes to submit critical comments, then EPA will publish: (1) A notice that withdraws this action, and (2) a notice that begins a new rulemaking by proposing the action and establishing a comment period. Today's action approves an action submitted by the State pursuant to the provisions of section 110 of the Act and imposes no new requirements beyond those which the State has already imposed.

Under Executive Order 12291 (46 FR 13193), EPA must also judge whether a regulation is "major" and therefore subject to the requirements of a Regulatory Impact Analysis. Today's action does not constitute a major regulation since it merely approves the State's actions. The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

Under 5 U.S.C. 605(b), the Administrator has certified that SIP approvals do not have a significant economic impact on a substantial number of small entities. (See 46 FR 8709.)

Under section 307(b)(1) of the Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by July 16, 1984. This action may not be challenged later in proceedings to enforce its requirements. (See sec. 307(b)(2).)

List of Subjects in 40 CFR Part 52

Air pollution control, Ozone, Sulfur oxides, Nitrogen dioxides, Lead,

Particulate matter, Carbon monoxide, Hydrocarbons, Intergovernmental relations.

Note.—Incorporation by reference of the State Implementation Plan for the State of Michigan was approved by the Director of the Federal Register on July 1, 1982.

(Sec. 110, Clean Air Act (42 U.S.C. 7310))

Dated: May 9, 1984.

William D. Ruckelshaus,
Administrator.

PART 52—[AMENDED]

Part 52 of Chapter 1, Title 40, Code of Federal Regulations, is amended as follows:

Subpart X—Michigan

Section 52.1170 is amended by adding paragraph (c)(75) as follows:

§ 52.1170 Identification of plan.

* * * * *

(c) * * *

(75) On October 4, 1983, the State of Michigan submitted: (1) A revised Consent Order APC No. 12-1979 between CWC Castings Division of Textron and the Michigan Air Pollution Control Commission and (2) Article 14, Section J of the Muskegon County APC Rules. Consent Order APC No. 12-1979 requires reductions of point source emissions and fugitive emissions and extends the installation schedule of specified control devices to December 31, 1984. Article 14, Section J, provides a ban on open residential and leaf burning in Muskegon County. EPA approves the additional control measures contained in Consent Order APC No. 12-1979 and the open burning ban. EPA takes no action on the overall approval of Michigan's Part D secondary nonattainment area for Muskegon County.

(Sec. 111, Clean Air Act (42 U.S.C. 7410))

[FR Doc. 84-13132 Filed 5-15-84; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 81

[A-9-FRL-2588-7]

Designation of Areas for Air Quality Planning Purposes; Attainment Status Designations; California

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rulemaking.

SUMMARY: Under section 107 of the Clean Air Act, EPA is redesignating six areas to attainment in California. These actions were proposed on September 9, 1983 and include the following: reduce

the size of the carbon monoxide (CO) nonattainment areas in Butte and San Joaquin Counties, redesignate the southern portion of Santa Barbara County to attainment for CO, reduce the size of the total suspended particulate matter (TSP) nonattainment areas in Santa Barbara and Ventura Counties and redesignate the Salinas Valley portion of San Luis Obispo County to attainment for TSP.

EFFECTIVE DATE: This action is effective June 15, 1984.

FOR FURTHER INFORMATION CONTACT: Doug Grano, (415) 974-7640.

ADDRESS: Doug Grano, Air Programs Branch (A-2-1), Air Management Division, EPA, Region 9, 215 Fremont Street, San Francisco, CA 94105. Telephone: (415) 974-7640.

SUPPLEMENTARY INFORMATION:

Background

On November 12, 1981, EPA published a notice of proposed rulemaking (46 FR 55722) that invited comments on nearly all of California's designations and proposed action on six California Air Resources Board (ARB) redesignation requests. That action was taken as a result of litigation with the Western Oil and Gas Association (WOGA). The forty-one comments to the proposed notice raised a number of scientific and legal issues. EPA is responding to the comments in a series of rulemaking actions. Three actions have been published thus far: A final notice on June 29, 1982 (47 FR 28100), a final notice on September 9, 1983 (48 FR 40722) and a proposed notice on September 9, 1983 (48 FR 40746). Also in regard to today's notice, EPA received from the ARB, redesignation requests for smaller nonattainment areas in San Joaquin and Butte Counties, respectively dated February 21 and 22, 1984.

This is the fifth action taken with respect to the November 12, notice of proposed rulemaking. In this notice, EPA is finalizing six of the nine redesignations proposed in the September 9, 1983 proposal notice (third action). EPA is acting on the three remaining redesignations in a separate rulemaking package. For a complete discussion of the proposed redesignation actions please refer to the September 9, 1983 Federal Register (48 FR 40746).

EPA received public comment letters from the ARB and the San Luis Obispo County Air Pollution Control District regarding the actions proposed in the September 9, 1983 notice. Briefly, the comments support the six redesignation actions that are being taken in this notice. These comments were