

Location: Norwich Harbor, off Norwich Marina, Norwich, CT

3. Norwalk Oyster Festival Fireworks  
Sponsor: Norwalk Seaport Association  
Date: A date within the first two weekends of September

Location: Norwalk Harbor, Norwalk, CT

4. Anniversary Fireworks

Sponsor: Town of Chilmark

Date: On or about 14 September

Location: Menemsha Beach, Chilmark, MA

5. City of Yonkers Fireworks

Sponsor: City of Yonkers

Date: Third Saturday of September

Location: Hudson River, Yonkers, NY

6. City of Yonkers Fireworks

Sponsor: City of Yonkers

Date: A date during the second or third weekend of September

Location: Hudson River

7. Cow Harbor Day Fireworks

Sponsor: Village of Northport Harbor

Date: A date within last two weekends of September

Location: Sand Pit, Northport Harbor, Northport, NY

8. Rensselaer Festival

Sponsor: City of Rensselaer

Date: A date during the second or third weekend in September

Location: Hudson River, Rensselaer, NY

9. Deepavali Festival

Sponsor: Association of Indians in America, Inc.

Date: A day during last week of September or first week of October

Location: East River, Manhattan, NY

\* \* \* \* \*

Dated: May 22, 1997.

**J.L. Linnon,**

Rear Admiral, U.S. Coast Guard Commander,  
First Coast Guard District.

[FR Doc. 97-14742 Filed 6-5-97; 8:45 am]

BILLING CODE 4910-14-M

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[AL-044-1 9710a; FRL5829-9]

### Approval and Promulgation of Implementation Plans: Revisions to Several Chapters and Appendices of the Alabama Department of Environmental Management (ADEM) Administrative Code for the Air Pollution Control Program

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Direct final rule.

**SUMMARY:** On October 30, 1996, the State of Alabama through ADEM submitted a State Implementation Plan

(SIP) revision of the ADEM Administrative Code for the Air Pollution Control Program. Revisions were made to Chapters 335-3-1, -2, -3, -4, -5, -6, -8, -9, -10, -11, -12, -13, -14, -15, -16, -17, and -18, Appendices C, E, and F. The EPA will not be taking action in this document on the revisions made to chapters 335-3-10, -11, -16, -17, and -18 because they are not a part of the federally approved SIP for Alabama.

**DATES:** This action will be effective August 5, 1997 unless adverse or critical comments are received by July 7, 1997. If the effective date is delayed, timely notice will be published in the **Federal Register**.

**ADDRESSES:** Comments may be mailed to Kimberly Bingham at the EPA Region 4 address listed below. Copies of the material submitted by ADEM may be examined during normal business hours at the following locations:

Air and Radiation Docket and Information Center (Air Docket 6102), U.S. Environmental Protection Agency, 401 M Street, SW, Washington DC 20460.

Environmental Protection Agency, Atlanta Federal Center, Region 4 Air Planning Branch, Atlanta Federal Center, 61 Forsyth Street, SW, Atlanta, Georgia 30303-3104.

Alabama Department of Environmental Management, 1751 Congressman W. L. Dickinson Drive, Montgomery, Alabama 36109.

#### FOR FURTHER INFORMATION CONTACT:

Kimberly Bingham, Regulatory Planning Section, Air Planning Branch, Air Pesticides and Toxics Management Division, Region 4, Environmental Protection Agency, Atlanta Federal Center, 61 Forsyth Street, SW, Atlanta, Georgia 30303. The telephone number is (404)562-9038.

**SUPPLEMENTARY INFORMATION:** On October 30, 1996, the State of Alabama through ADEM submitted numerous changes to their Air Division Administrative Code to be incorporated into their SIP. Many of the revisions were made to make the SIP consistent with the Alabama State law including a more uniform numbering system. The following is a brief summary of the major revisions made to Chapters 335-3-1, -2, -3, -4, -5, -6, -8, -9, -12, -13, and -14, Appendices C, E, and F. There are also numerous minor numbering and wording changes that are not specifically discussed in this notice.

#### Summary of Revisions

##### Chapter 335-3-1—General Provisions

ADEM is revising 335-3-1-.02(gggg) to add perchloroethylene (PERC or

tetrachloroethylene) to the list of compounds excluded from the definition of volatile organic compounds (VOC) on the basis that this compound has been determined to have negligible photochemical reactivity. The EPA published a notice in the **Federal Register** on February 7, 1996, (61 FR 4590), which documents the Agency's decision to add perchloroethylene to this list of excluded compounds.

ADEM revised 335-3-1-.04 to clarify reports the ADEM Director may require.

##### Chapter 335-3-3—Control of Open Burning and Incineration

Rule 335-3-.01(8) was revised to make clear that only wood vegetation, coal, propane, kerosene, and fuel oil or used oil may be used as fuel in salamanders for heating purposes.

##### Chapter 335-3-4—Control of Particulate Emissions

This chapter was revised to change all references to "equivalent opacity" to opacity. The adjective equivalent is not needed when describing visible emission restrictions from sources.

Rule 335-3-4-.01 was amended to delete paragraph (3) which addresses uncombined water. Paragraph (2) requires that sources' opacity standards comply with EPA Reference Method 9 which adequately addresses uncombined water.

##### Chapter 335-3-6—Control of Organic Emissions

Rules 335-3-6-.19 and 335-3-6-.40 were deleted because they address requirements for perc dry cleaning control technique guidelines which are no longer needed because perc was exempted from the list of VOCs.

Rule 335-2-6-.37(13) and Appendix F were amended to incorporate by reference EPA's revised capture efficiency guidance.

##### Chapter 335-3-15—Synthetic Minor Operating Permits

Rule 335-3-15-.04 was amended to better define the application process for stationary sources applying for synthetic minor operating permits. It also states that new stationary sources applying for a permit at a greenfield site will not be able to initiate construction until the permit is issued.

#### Final action

The EPA is approving the aforementioned revisions because they meet the Agency requirements. This action is being published without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments.

However, in a separate document in this **Federal Register** publication, the EPA is proposing to approve the SIP revision should adverse or critical comments be filed. This action will be effective August 5, 1997 unless, within 30 days of its publication, adverse or critical comments are received.

If the EPA receives such comments, this action will be withdrawn before the effective date by publishing a subsequent document that will withdraw the final action. All public comments received will then be addressed in a subsequent final rule based on the proposed rule published with this action. The EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time. If no such comments are received, the public is advised that this action will be effective August 5, 1997.

This action has been classified as a Table 3 action for signature by the Regional Administrator under the procedures published in the **Federal Register** on January 19, 1989 (54 FR 2214-2225), as revised by a July 10, 1995 memorandum from Mary Nichols, Assistant Administrator for Air and Radiation. The Office of Management and Budget (OMB) has exempted this regulatory action from E.O. 12866 review.

SIP approvals under section 110 and subchapter I, part D of the CAA do not create any new requirements, but simply approve requirements that the State is already imposing. Therefore, because the Federal SIP-approval does not impose any new requirements, I certify that it does not have a significant impact on any small entities affected. Moreover, due to the nature of the federal-state relationship under the CAA, preparation of a regulatory flexibility analysis would constitute federal inquiry into the economic reasonableness of state action. The CAA forbids EPA to base its actions concerning SIPs on such grounds. *Union Electric Co. v. U.S. E.P.A.*, 427 U.S. 246, 256-66 (S.Ct. 1976); 42 U.S.C. §§ 7410(a)(2) and 7410(k)(3).

Nothing in this action shall be construed as permitting or allowing or establishing a precedent for any future request for a revision to any SIP. Each request for revision to the SIP shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

Under the Regulatory Flexibility Act, 5 U.S.C. § 600 *et seq.*, EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. 5 U.S.C.

§§ 603 and 604. Alternatively, EPA may certify that the rule will not have a significant impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

Under section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate; or to private sector, of \$100 million or more. Under Section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the approval action promulgated does not include a Federal mandate that may result in estimated costs of \$100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. This Federal action approves pre-existing requirements under State or local law, and imposes no new requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

Under section 801(a)(1)(A) as added by the Small Business Regulatory Enforcement Fairness Act of 1996, EPA submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives and the Comptroller General of the General Accounting Office prior to publication of the rule in today's **Federal Register**. This rule is not a "major rule" as defined by section 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by August 5, 1997. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

## List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Particulate matter and Ozone.

Dated: April 7, 1997.

**Michael V. Peyton,**

*Acting Regional Administrator.*

Chapter I, title 40, Code of Federal Regulations, is amended as follows:

## PART 52—[AMENDED]

1. The authority citation for part 52 continues to read as follows:

**Authority:** 42 U.S.C. 7401-7671q.

## Subpart B—Alabama

2. Section 52.50 is amended by adding paragraph (c)(70) to read as follows:

### § 52.50 Identification of plan.

\* \* \* \* \*

(c) \* \* \*

(70) The State of Alabama submitted revisions to the ADEM Administrative Code for the Air Pollution Control Program on October 30, 1996. These revisions involve changes to Chapters 335-3-1, -2, -3, -4, -5, -6, -8, -9, -12, -13, -14, Appendices C, E, and F.

(i) *Incorporation by reference.* Chapters 335-3-1-.02(gggg)(23-25); 335-3-1-.04(1-2); 335-3-1-.06(3); 335-3-1-.08; 335-3-1-.09(11); 335-3-1-.11; 335-3-2-.02(c); 335-3-2-.08(3); 335-3-3-.01(8); 335-3-4-.01(1)(a-b), (3); 335-3-4-.04(5); 335-3-4-.07(6-7); 335-3-4-.08(2), (3), (3)(b), (4)(b); 335-3-4-.09(1)(4a-b), (4)(c); 335-3-4-.11(2); 335-3-4-.14(2)(a)2, (2)(b)3; 335-3-4-.15(5-6), (6)(e), (6)(g)1; 335-3-4-.17(4), (7-9); 335-3-5-.01(2), (2)(b), (4); 335-3-5-.02(1-3); 335-3-5-.03(4), (4)(b), (5)(b), (8); 335-3-5-.04(10)(d), (12)(b); 335-3-6-.01(3-6); 335-3-6-.04(4); 335-3-6-.05(3), (4), (5)(a), (5)(f), (6), (7); 335-3-6-.06(3)(a), (3)(a)3, (4-5); 335-3-6-.07(1), (2)(d), (3), (4), (4)(c), (5)(a), (5)(c), (7); 335-3-6-.11(1)(a), (1)(b-c), (2)(a), (2)(b-c), (3), (3)(b-c), (4)(a), (4)(b-d), (5)(a), (5)(b-c), (6)(a), (6)(b-c), (7)(a), (7)(b-c), (8)(a-c), (9)(a)3, (9)(b), (10)(a), (10)(b), (10)(c-d), (11)(a), (11)(b), (11)(c), (11)(d-e); 335-3-6-.12(4), (5), (6), (6)(b)3; 335-3-6-.13(2)(a); 335-3-6-.15(1)(a), (1)(b), (2)(a), (2)(c), (3)(a), (3)(b), (4)(a), (4)(c-d), (5); 335-3-6-.16(1)(e)1, (1)(e)2I, (2)(g)1, (2)(g)3iii, (2)(g)3vii, (3)(a), (6)(a), (7)(a), (7)(c)2(d), (8)(a), (9)(a), (10)(a), (11)(a), (11)(d), (12)(a), (13)(a); 335-3-6-.17(3), (3)2(c-d), (4)(b); 335-3-6-.18(4)(b); 335-3-6-.19; 335-3-6-.20(3)(a), (4)(a), (4)(c), (5)(a)2, (5)(a)3(b), (6); 335-3-6-.21(1)(b), (3-4), (10)(b), (12)(b), (13); 335-3-6-.22(3)(b), (3)(c)1-2, (4); 335-3-6-

.23(4)(a)2, (4)(b)3, (5)(a-b), (8); 335-3-6-.24(1)(a), (2); 335-3-6-.27(4); 335-3-6-.28(3), (4), (5)(a), (5)(f), (6), (7)(c-d); 335-3-6-.29(3)(a), (3)(a)3, 3(e), (4), (5), (6)(c-d); 335-3-6-.30(2)(d), (3), (4), (4)(c), (5)(a), (5)(c-d), (7); 335-3-6-.32(1)(a), (1)(a)7(b-c), (2)(a), (2)(a)2(b-c), (3)(a), (3)(a)2(b-c), (4)(a), (4)(a)3(b-d), (6)(a), (6)(b-c), (7)(a), (7)(b-c), (8)(a), (8)(b-c), (9)(a), (10)(a), (10)(b), (10)(c-d), (11)(a), (11)(b), (11)(c), (11)(d-e), (12)(a), (12)(b-d); 335-3-6-.33(3)(a-b), (4), (5), (6), (6)(b)3; 335-3-6-.34(5)(b-c); 335-3-6-.36(1)(a), (1)(b), (2)(a), (2)(a)4-6, (2)(c), (3)(a), (3)(b), (4)(a), (4)(c-e), (5), (6)(a)1-2, (6)(b); 335-3-6-.37(1)(c)3, (3)(a), (3)(b)1-2, (5)(a), (6)(a), (7)(a), (7)(c), (7)(d), (8)(a), (10)(a), (11)(a), (11)(d), (12)(a), (13)(a), (13)(a)11-16, (13)(a)20-22, (13)(b)1-2, (13)(c)1, (13)(c)3, (13)(c)3(i-iv), (13)(d)4-5; 335-3-6-.39(4)(b); 335-3-6-.40; 335-3-6-.41(3)(a), (4)(a-b), (5)(a)2, (5)(b), (6); 335-3-6-.43(4), (6)(f-g); 335-3-6-.44(4)(a)2-3, (4)(b)3, (5)(a-c), (8); 335-3-6-.45(4)(a), (4)(a)1(I-III), (4)(a)3, (4)(b-c), (4)(d); 335-3-6-.46; 335-3-6-.47(1), (3)(a-c), (4)(d), (5)(a-b), (10)(a)7, (11)(c); 335-3-6-.48(1), (3); 335-3-6-.49(1), (5)(a); 335-3-6-.50(1); 335-3-6-.53(13); 335-3-8-.02(1); 335-3-9-.01(3); 335-3-12-.02(2); 335-3-13-.02(3); 335-3-13.03(3); 335-3-13-.04(3); 335-3-13-.05(3); 335-3-13-.06(3); 335-3-14-.01(1)(b-c), (1)(e), (1)(g), (1)(k), (1)(k)1-5, (6)(a), (6)(b), (6)(b)1, (6)(b)3, (6)(c), (7)(a)2, (7)(c-d); 335-3-14-.02(1)(a), (4)(b-c), (4)(e)1, (4)(e)4, (5)(a-c); 335-3-14-.03(1)(g)1-3, (1)(h)2(V), (2)(a), (2)(a)4(V), (2)(a)6(i-ii), (2)(a)7, (2)(a)7(i-ii), (2)(a)7(I), (2)(a)7(II)(iii), (2)(b-c), (2)(f-g); 335-3-14-.04(2), (2)(a)1(i-iii), (2)(b)1, (2)(c)2(i), (2)(c)4, (2)(c)6(i-ii), (2)(f), (2)(i), (2)(i)1, (2)(m)1, (2)(m)1(i), (2)(n)2, (2)(u)1, (2)(u)4, (2)(w)3, (6)5(b), (8)(a-d), (8)(e-f), (8)(g-h), (8)(h)3, (8)(k), (8)(l), (11)(a), (12)(a)6-8, (12)(c), (13)(a), (15)(c), (15)(f-h), (17)(c), (18)(a), (18)(b)2-3, (18)(c), (18)(d), (19)(a), (19)(c); 335-3-14-.05(2)(c)1(ii), (2)(l), (3), (3)(c), (4)(c), (4)(c)2, (4)(d), (5-6), (6)(c), (7)(a), (9)(c)2, (9)(d), (11), (12)(a), (13)(b)7; 335-3-15-.01(b), (d-f), (h); 335-3-15-.02(3-4), (7)(c), (8)(f), (8)(h)2, (8)(h)4(i), (8)(h)4(iv), (9)(a)4(iv)1-3, (9)(a)4(iv)(V), (9)(a)6(i-ii), (9)(a)7, (9)(a)7(i-ii), (9)(a)7(ii)(I), (9)(a)7(iii), (9)(b-c), (9)(f-g); 335-3-15-.04(1)(a-d), (1)(e), (1)(g-h), (2)(a)(3)(c), (4)(a-b); and 335-3-15-.05(a) were adopted on October 15, 1996.

(ii) *Other material.* None.

[FR Doc. 97-14851 Filed 6-5-97; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 63

[AD-FRL-5836-6]

RIN 2060-AE37

### National Emission Standards for Hazardous Air Pollutants Emissions: Group IV Polymers and Resins

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Direct final rule; extension of compliance.

**SUMMARY:** This action provides a temporary extension of the compliance dates specified in 40 CFR 63.1311(b) and (d) for poly(ethylene terephthalate) (PET) affected sources and announces the reconsideration of the equipment leak provisions contained in 40 CFR 63.1331 as these provisions pertain to PET affected sources. The EPA is providing this temporary extension only as necessary to complete reconsideration and any necessary revision to the rule. The EPA is providing this temporary extension pursuant to Clean Air Act section 301(a)(1).

**DATES:** The direct final rule will be effective July 27, 1997. However, if significant adverse comments on any portion of the direct final rule are received by July 7, 1997 then the EPA will publish a timely withdrawal of the direct final rule, and all public comments received will be addressed in a subsequent final rule. For additional information concerning comments, see the parallel proposal notice found in the Proposed Rules Section of this **Federal Register**.

**ADDRESSES:** *Comments.* Comments should be submitted (in duplicate, if possible) to: Air and Radiation Docket and Information Center (6102), Attention Docket Number A-92-45 (see docket section below), Room M-1500, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, D.C. 20460. The EPA requests that a separate copy also be sent to the contact person listed under **FOR FURTHER INFORMATION CONTACT**. Comments and data may also be submitted electronically by following the instructions provided in the **SUPPLEMENTARY INFORMATION** section. No Confidential Business Information (CBI) should be submitted through electronic mail.

*Docket.* The official record for this rulemaking has been established under docket number A-92-45 (including comments and data submitted electronically as described below). A

public version of this record, including printed, paper versions of electronic comments and data, which does not include any information claimed as CBI, is available for inspection between 8 a.m. and 4 p.m., Monday through Friday, excluding legal holidays. The official rulemaking record is located at the address in the **ADDRESSES** section. Alternatively, a docket index, as well as individual items contained within the docket, may be obtained by calling (202) 260-7548 or (202) 260-7549. A reasonable fee may be charged for copying.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert Rosensteel, Emission Standards Division (MD-13), U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, Research Triangle Park, North Carolina 27711, telephone number (919) 541-5608.

### SUPPLEMENTARY INFORMATION:

#### Electronic Filing

Electronic comments and data can be sent directly to EPA at: a-and-r-docket@epamail.epa.gov. Electronic comments and data must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on diskette in WordPerfect 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket number A-92-45. Electronic comments may be filed online at many Federal Depository Libraries.

#### Electronic Availability

This document is available in docket number A-92-45 or by request from the EPA's Air and Radiation Docket and Information Center (see **ADDRESSES**), and is available for downloading from the Technology Transfer Network (TTN), the EPA's electronic bulletin board system. The TTN provides information and technology exchange in various areas of emissions control. The service is free, except for the cost of a telephone call. Dial (919) 541-5742 for up to a 14,000 baud per second modem. For further information, contact the TTN HELP line at (919) 541-5348, from 1:00 p.m. to 5:00 p.m., Monday through Friday, or access the TTN web site at: <http://ttnwww.rtpnc.epa.gov>.

#### Regulated entities

Regulated categories and entities include:

Category	Examples of regulated entities
Industry .....	Facilities that produce PET.