offer the possibility that subsequent adjustments to the modeling results due to the completed model validation process, as well as the inclusion of areaspecific and source category-specific emissions projection factors, may result in changes that could alter the conclusions presently reached with respect to the effects of NO_x reductions on nonattainment areas within the domain. Although this result seems highly unlikely, it does remain a possibility. In light of the above, EPA has concluded that the LADCo exemption demonstration is adequate to support the granting of a NO_x waiver. Therefore, pursuant to section 182(f)(3)of the Act, and based on the results provided by the modeling data that is available at this time, and on the modeling analyses' conformance to the criteria contained in relevant EPA guidance, including the Guideline, the EPA proposes to approve the LADCo NO_x exemption petition. The EPA reserves the right to reverse this approval to the extent necessary if subsequent modeling results, such as may be available through the final attainment demonstration submittal, or through any other subsequent modeling data, demonstrate that additional NO_x emission reductions will contribute to attainment of the ozone NAAQS in all or part of any nonattainment areas within the LMOS modeling domain. For a more detailed analysis of the petition, please see the August 22, 1994 technical support document entitled "Technical Review of a Four State Request for a Section 182(f) Exemption from Oxides of Nitrogen (NO_x) Reasonably Available Control Technology (RACT) and New Source Review (NSR) Requirements."

IV. Implication of Action

The EPA is proposing to approve the LADCo petition. If granted, the approval will exempt ozone nonattainment areas in the LMOS modeling domain from any applicable NO_x requirements set forth in the Act, such as those for NO_x RACT, NSR, I/M, and conformity. Therefore, the sanctions clocks currently underway for the applicable ozone nonattainment areas in the States of Illinois, Indiana, Michigan, and Wisconsin for failing to submit a complete NO_x RACT SIP will be stopped upon final approval of the exemption. The EPA reserves the right, however, to reverse the proposed approval if subsequent modeling, such as may be available through the final attainment demonstration, or any other subsequent modeling data, demonstrate an ozone attainment benefit from NO_x emission controls within all or part of the ozone nonattainment areas within the LMOS modeling domain. In that

case, the EPA would notify the States that the exemption no longer applies for the relevant nonattainment areas, and would also provide notice to the public in the **Federal Register**.

There are also consequences if the EPA disapproves the petition. The requirement to submit NOx RACT rules and implement the NSR, conformity, and I/M NO_x requirements for the LMOS modeling domain area remain in place. Therefore, the sanctions clocks currently underway for the applicable ozone nonattainment areas in the States of Illinois, Indiana, Michigan, and Wisconsin for failing to submit a complete NO_x RACT SIP will not be stopped. As provided under section 179(a) of the Act, if the State did not make a complete submittal within 18 months after the finding of failure to submit, the EPA would be required to impose the requirements to provide two-to-one NSR offsets. If the State had not corrected its deficiency within 6 months after imposing the offset sanction, the EPA would impose a second sanction related to Federal highway funding restrictions. Any sanction the EPA imposes must remain in place until the EPA determines that the State has corrected the deficiency. In addition, the finding of failure to submit would trigger the 24-month clock for the EPA to impose a Federal Implementation Plan as provided under section 110(c)(1) of the Act.

V. Request for Public Comments

Interested parties are invited to submit comments on this petition and on EPA's proposed rulemaking action. Public comments received by the date indicated above will be considered in the development of the final rule.

VI. Regulatory Process

The Office of Management and Budget has exempted this rule from the requirements of section 6 of Executive Order 12866. 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, under 5 U.S.C. 605(b), the EPA may certify that the rule will not have a significant economic impact on a substantial number of small entities. See 46 FR 8709. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

Because any type of approval of a section 182(f) petition 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 Act, preparation of a regulatory flexibility analysis would constitute Federal inquiry into the economic reasonableness of State action.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Intergovernmental relations, Oxides of Nitrogen, Ozone, Reporting and recordkeeping requirements.

Authority: 42 U.S.C. 7401–7671q. Dated: February 27, 1995.

Carol M. Browner,

Administrator. [FR Doc. 95–5402 Filed 3–3–95; 8:45 am] BILLING CODE 6560–50–F

40 CFR Part 52

[MA-30-1-6846b; A-1-FRL-5158-5]

Approval and Promulgation of Air Quality Implementation Plans; Massachusetts; VOC RACT for Brittany Dyeing and Printing

AGENCY: Environmental Protection Agency (EPA). ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve a State Implementation Plan (SIP) revision submitted by the Commonwealth of Massachusetts. This revision consists of a reasonably available control technology (RACT) Plan Approval for controlling volatile organic compound (VOC) emissions from Brittany Dyeing and Printing Corporation of New Bedford, Massachusetts. In the final rules section of this Federal Register, EPA is approving the Massachusetts' SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to that direct final rule, no further activity is contemplated in relation to this proposed rule. If EPA receives adverse comments. the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this document. Any parties interested in commenting on this document should do so at this time. DATES: Comments must be received on or before April 5, 1995.

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