2. Executive Order 12778

The Department of the Interior has conducted the reviews required by section 2 of Executive Order 12778 (Civil Justice Reform) and has determined that this rule meets the applicable standards of subsections (a) and (b) of that section. However, these standards are not applicable to the actual language of State regulatory programs and program amendments since each such program is drafted and promulgated by a specific State, not by OSM. Under sections 503 and 505 of SMCRA (30 U.S.C. 1253 and 1255) and the Federal regulations at 30 CFR 730.11, 732.15, and 732.17(h)(10), decisions on proposed State regulatory programs and program amendments submitted by the States must be based solely on a determination of whether the submittal is consistent with SMCRA and its implementing Federal regulations and whether the other requirements of 30 CFR Parts 730, 731, and 732 have been met.

3. National Environmental Policy Act

No environmental impact statement is required for this rule since section 702(d) of SMCRA (30 U.S.C. 1292(d)) provides that agency decisions on proposed State regulatory program provisions do not constitute major Federal actions within the meaning of section 102(2)(C) of the National Environmental Policy Act (42 U.S.C. 4332(2)(C)).

4. Paperwork Reduction Act

This rule does not contain information collection requirements that require approval by OMB under the Paperwork Reduction Act (44 U.S.C. 3507 *et seq.*).

5. Regulatory Flexibility Act

The Department of the Interior has determined that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.). The State submittal which is the subject of this rule is based upon counterpart Federal regulations for which an economic analysis was prepared and certification made that such regulations would not have a significant economic effect upon a substantial number of small entities. Accordingly, this rule will ensure that existing requirements previously promulgated by OSM will be implemented by the State. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions for the counterpart Federal regulations.

VII. List of Subjects in 30 CFR Part 936

Intergovernmental relations, Surface mining, Underground mining.

Dated: March 3, 1995.

Charles E. Sandberg,

Acting Assistant Director, Western Support Center.

For the reasons set out in the preamble, title 30, chapter VII, subchapter T of the Code of Federal Regulations is amended as set forth below:

PART 936—OKLAHOMA

*

1. The authority citation for part 936 continues to read as follows:

Authority: 30 U.S.C. 1201 et seq.

2. Section 936.15 is amended by adding paragraph (o) to read as follows:

§ 936.15 Approval of regulatory program amendments.

(o) Revisions to the following provisions of the Oklahoma Coal Rules and Regulations concerning the small operator assistance program, as submitted to OSM on September 14, 1994, and as revised on December 20, 1994, are approved effective March 10, 1995:

- Oklahoma Administrative Code (OAC) 460:20–35–1, definitions;
- OAC 460:20–35–3 (a)(2), (a)(2) (A), (B), and (D), and (b), eligibility for assistance;
- OAC 460:20–35–6 (a), (b) (1) through (6), and (d), program services and data requirements; and
- OAC 460:20–35–7 (a), (a) (2) and (3), applicant liability.

[FR Doc. 95–5921 Filed 3–9–95; 8:45 am] BILLING CODE 4310–05–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[IL 12-36-6669; FRL-5167-9]

Approval and Promulgation of Implementation Plan; Illinois

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: On June 29, 1990, the United States Environmental Protection Agency (USEPA) promulgated a Federal Implementation Plan (FIP) which contains stationary source volatile organic compound (VOC) control measures representing reasonably available control technology (RACT) for

emission sources located in six northeastern Illinois (Chicago area) counties: Cook, DuPage, Kane, Lake, McHenry and Will. Included in USEPA's rules was a requirement that major non-Control Technique Guideline (CTG) sources be subject to 40 CFR 52.741 (s), (u), (v), (w), or (x). The major non-CTG limits in 40 CFR 52.741(x) (would, if not for this rule) apply to the hot and cold aluminum rolling operations at the Reynolds Metals Company's (Reynolds) McCook Sheet & Plate Plant in McCook, Illinois (in Cook County). On August 19, 1991, Reynolds requested that USEPA reconsider the application of 40 CFR 52.741(x) to its facility in McCook, Illinois, and on October 17, 1991, Reynolds requested that USEPA promulgate site-specific RACT limits for its hot and cold rolling mills. USEPA agreed to reconsider the RACT control requirements for Reynolds' aluminum rolling operations and, on September 22, 1993, proposed site-specific RACT control requirements for these operations. In this rule the USEPA is promulgating these sitespecific RACT limits.

EFFECTIVE DATE: This rule is effective April 10, 1995.

ADDRESSES: The docket for this action (Docket No. A–92–67), which contains the public comments, is located for public inspection and copying at the following addresses. A reasonable fee may be charged for copying. We recommend that you contact Randolph O. Cano before visiting the Chicago location and Rachel Romine (202/245– 3639) before visiting the Washington, D.C. location.

- U.S. Environmental Protection Agency, Region 5, Regulation Development Branch, 18th Floor, Southwest, 77 West Jackson Blvd., Chicago, Illinois 60604.
- Office of Air and Radiation Docket and Information Center (Air Docket 6102), U.S. Environmental Protection Agency, Docket No. A–92–67, Room M1500, Waterside Mall, 401 M Street SW., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: Steven Rosenthal, Regulation Development Branch, USEPA Region 5, (312) 886–6052, at the Chicago address indicated above.

SUPPLEMENTARY INFORMATION:

I. Background

Part D of the Clean Air Act (Act), 42 U.S.C. 7401 et seq., requires that states adopt rules for major non-CTG¹ sources.

¹Control techniques guideline documents have been prepared by USEPA to assist States in defining RACT for the control of VOC emissions from