The sixth requirement is to develop procedures for consideration of requests from a small business stationary source for modification of: (A) any work practice or technological method of compliance, or (B) the schedule of milestones for implementing such work practices or compliance methods. Pennsylvania has met this requirement by establishing a mechanism to receive, review and process requests for work practice, compliance method or milestone modifications. The mechanism provides that the small business must submit the request in writing to the DER, which will review said request in 30 days and make a decision no later than 6 months from the date of submittal. Requests will be reviewed to ensure that no violation of state or federal requirement occur.

2. Ombudsman

Section 507(a)(3) of the CAA requires the designation of a state office to serve as the Ombudsman for small business stationary sources. The Pennsylvania Air Pollution Control Act, Section 7.9 designates the Department of Commerce to house the Office of Small Business Ombudsman. The Ombudsman will be readily accessible to small businesses and, on their behalf, be authorized to provide reports to and communicate with state air pollution control authorities. In addition, the Ombudsman will review and handle complaints from small businesses regarding improper treatment by the DER, and recommend procedural changes that may improve relations with small businesses. The Ombudsman may sponsor meetings and conferences and work directly with trade associations. Finally, on an annual basis the Ombudsman must report to the Governor and State Legislature on the effectiveness of the PROGRAM, and also prepare reports evaluating proposed regulations for their economic impact on small businesses.

Ombudsman's office will be staffed by two individuals, an Ombudsman and a secretary.

3. Compliance Advisory Panel

Section 507(e) of the CAA requires the state to establish a Compliance Advisory Panel (the CAP) that must include two members selected by the Governor who are not owners or representatives of owners of small businesses; four members selected by the state legislature who are owners, or represent owners, of small businesses; and one member selected by the head of the agency in charge of the Air Pollution Permit Program. The Pennsylvania Compliance Advisory Committee was established by the State Air Pollution Control Act, Section 7.8. The Committee will include eleven members, seven of which will be chosen consistent with the requirements of section 507(e) of the CAA. The four additional members consist of the Secretary of Commerce, the Small Business Ombudsman and two additional members selected by the Governor.

In addition to establishing the minimum membership of the CAP, the CAA delineates four responsibilities of the Panel: (A) to render advisory opinions concerning the effectiveness of the SBAP, difficulties encountered and the degree and severity of enforcement actions; (B) to review and assure that information for small business stationary sources is easily understandable; (C) to develop and disseminate the reports and advisory opinions made through the SBAP; and (D) to periodically report to EPA concerning the SBAP's adherence to the principles of the Paperwork Reduction Act, the Equal Access to Justice Act, and the Regulatory Flexibility Act. (Section 507(e)(1)(B) requires the CAP to report on the compliance of the SBAP with these three statutes. However, since state agencies are not required to comply with them, EPA believes that the state PROGRAM must merely require the CAP to report on whether the SBAP is adhering to the general principles of these Federal Statutes.) Pennsylvania has met these requirements by delegating the above mentioned duties to the Compliance Advisory Committee, specifically the SIP submittal states: the Committee will report on the program's compliance with the requirements of the Paperwork Reduction Act, the Regulatory Flexibility Act and the Equal Access to Justice Act and report on the program and recommend changes that are needed as well as new material that may be necessary to improve the effectiveness of the program.

4. Eligibility

Section 507(c)(1) of the CAA defines the term "small business stationary source" as a stationary source that:

(A) is owned or operated by a person who employs 100 or fewer individuals,(B) is a small business concern as

defined in the Small Business Act;

(C) is not a major stationary source;(D) does not emit 50 tons per year

(tpy) or more of any regulated pollutant; and

(E) emits less than 75 tpy of all regulated pollutants.

Under Section 507(c)(2) major sources may petition for admittance to the PROGRAM. The Pennsylvania SIP

revision provides a mechanism for source inclusion upon approval by EPA. Except for source categories which the EPA Administrator or the Commonwealth of Pennsylvania determines (in accordance with sections 507(c)(3) (A) and (B)), to have sufficient financial and technical capabilities to meet the requirements of the Act without PROGRAM assistance, all small business stationary sources located in Pennsylvania will be eligible to receive assistance under the PROGRAM. Pennsylvania's PROGRAM criteria for defining a "small business stationary source" is substantially equivalent to the criteria listed in Section 507(c)(1) of the CAA. The Commonwealth has provided for the extension of eligibility for assistance under the PROGRAM beyond the requirements of Sections 507(c)(1)(C-E) with notice and opportunity for public comment as provided in Section 7.5 of the Pennsylvania Air Pollution Control Act.

Summary of SIP Revision

The Commonwealth of Pennsylvania has submitted a SIP revision implementing each of the PROGRAM elements required by section 507 of the CAA. The Small Business Assistance Program (SBAP) will be administered by the Department of Environmental **Resources.** Program implementation will begin no later than November 1994. By this action, EPA is hereby approving the SIP revision submitted by the Commonwealth of Pennsylvania. Accordingly, § 52.2060 is added to 40 CFR part 52, subpart NN in order to reflect EPA's approval action and the fact that it is considered part of the Pennsylvania SIP.

Final Action

EPA is approving the Commonwealth of Pennsylvania SIP revision submittal for the establishment of the Small Business Assistance Program submitted February 1, 1993. Accordingly, § 52.2060 is added to 40 CFR part 52, subpart NN—Pennsylvania to reflect EPA's approval action. EPA has reviewed this request for revision of the federally-approved state implementation plan for conformance with the CAA including section 507 and section 110(a)(2)(E).

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any state implementation plan. Each request for revision to the state implementation plan shall be considered separately in light of specific technical, economic, and environmental factors and in