- (x) [Reserved]
- (v) [Reserved]
- (z) [Reserved]
- (aa) [Reserved]
- (bb) [Reserved]
- (cc) Siskiyou County APCD (complete submittal received on December 6, 1993); interim approval effective on June 2, 1995; interim approval expires June 3, 997.
  - (dd) [Reserved]
  - (ee) [Reserved]
- (ff) Tuolumne County APCD (complete submittal received on November 16, 1993); interim approval effective on June 2, 1995; interim approval expires June 3, 1997.
  - (gg) [Reserved]
- (hh) Yolo-Solano AQMD (complete submittal received on October 14, 1994); interim approval effective on June 2, 1995; interim approval expires June 3, 1997.

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## 40 CFR Part 80

[AMS-FRL-5201-4]

Regulation of Fuels and Fuel Additives: Standards for Reformulated and Conventional Gasoline Withdrawal of Reformulated Gasoline Program **Extension in Wisconsin** 

**AGENCY:** Environmental Protection Agency.

**ACTION:** Withdrawal of final rule.

SUMMARY: The Clean Air Act, as amended, directs the Administrator of EPA to apply the prohibition against the sale of conventional gasoline under EPA's reformulated gasoline (RFG) regulations in an ozone nonattainment area upon the application of the governor of the state in which the nonattainment area is located. On December 29, 1994, EPA issued a direct final rule (DFRM) extending the prohibition set forth in section 211(k)(5) of the Act to three moderate ozone nonattainment areas in Wisconsin. including those counties in the federal RFG program. EPA is withdrawing the direct final rule, because the governor has withdrawn the three counties from the federal RFG program.

**EFFECTIVE DATE:** This action is effective April 25, 1995.

**ADDRESSES:** Materials directly relevant to the direct final rule are contained in Public Docket No. A-94-46, located at Room M-1500, Waterside Mall (ground floor), U.S. Environmental Protection Agency, 401 M Street SW, Washington,

D.C. 20460. Other materials relevant to the reformulated gasoline final rule are contained in Public Dockets A-91-02 and A-92-12. The docket may be inspected from 8:00 a.m. until 4:00 p.m. Monday through Friday. As provided in 40 CFR part 2, a reasonable fee may be charged by EPA for copying docket materials.

FOR FURTHER INFORMATION CONTACT: Joann Jackson Stephens, U.S. EPA (RDSD-12), Regulation Development and Support Division, 2565 Plymouth Road, Ann Arbor, MI 48105. Telephone: (313) 668–4507. To Request Copies of This Notice Contact: Delores Frank, U.S. EPA (RDSD-12), Regulation Development and Support Division, 2565 Plymouth Road, Ann Arbor, MI 48105. Telephone: (313) 668-4295.

SUPPLEMENTARY INFORMATION: A copy of this action is available on the EPA's Office of Air Quality Planning and Standards (OAQPS) Technology Transfer Network Bulletin Board System (TTNBBS). The service is free of charge, except for the cost of the phone call. The TTNBBS can be accessed with a dial-in phone line and a high-speed modem per the following information: TTN BBS: 919-541-5742

(1200-14400 bps, no parity, 8 data bits,

1 stop bit)

Voice Help-line: 919-541-5384 Accessible via Internet:

TELNETttnbbs.rtpnc.epa.gov Off-line: Mondays from 8:00 AM to 12:00 Noon ET

When first signing on, the user will be required to answer some basic informational questions for registration purposes. After completing the registration process, proceed through the following series of menus:

<T> GATEWAY TO TTN TECHNICAL AREAS (Bulletin Boards)

- <M> OMS
- <K> Rulemaking and Reporting
- <3> Fuels
- <9> Reformulated gasoline

A list of ZIP files will be shown, all of which are related to the RFG rulemaking process. To download any file, type the instructions below and transfer according to the appropriate software on your computer:

<D>ownload, <P>rotocol, <E>xamine, <N>ew, <L>ist, or <H>elp Selection or <CR> to exit: D filename.zip

You will be given a list of transfer protocols from which you must choose one that matches with the terminal software on your own computer. The software should then be opened and directed to receive the file using the same protocol. Programs and instructions for de-archiving

compressed files can be found via <S>ystems Utilities from the top menu, under <A>rchivers/de-archivers. After getting the files you want onto your computer, you can quit the TTN BBS with the <G>oodbye command. Please note that due to differences between the software used to develop the document and the software into which the document may be downloaded, changes in format, page length, etc. may occur.

## I. Background

As part of the Clean Air Act Amendments of 1990, Congress added a new subsection (k) to section 211 of the Clean Air Act. Subsection (k) prohibits the sale of gasoline that EPA has not certified as reformulated in the nine worst ozone nonattainment areas beginning January 1, 1995. EPA published final regulations for the RFG program on February 16, 1994 and on August 2, 1994. See 59 FR 7716 and 59 FR 39258. Corrections and clarifications to the final RFG regulations were published July 20, 1994. See 59 FR 36944.

EPA has determined the nine covered areas to be the metropolitan areas including Los Angeles, Houston, New York City, Baltimore, Chicago, San Diego, Philadelphia, Hartford and Milwaukee. Any other ozone nonattainment area classified under subpart 2 of Part D of Title I of the Act as a Marginal, Moderate, Serious or Severe may be included in the program at the request of the Governor of the state in which the area is located. Section 211(k)(6)(A) provides that upon the application of a Governor, EPA shall apply the prohibition against the sale of conventional gasoline (gasoline EPA has not certified as reformulated) in any area classified as an ozone nonattainment area classified as an ozone nonattainment area 1 and EPA is to publish a governor's application in the Federal Register. To date, EPA has received and published applications from the Mayor of the District of Columbia and the Governors of the following states with ozone nonattainment areas: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Virginia, Texas, and Kentucky. Since submitting opt-in applications, some states (Pennsylvania, Maine, and New York) have recently requested to opt-out of the RFG program for various reasons.

<sup>&</sup>lt;sup>1</sup> EPA promulgated such designations pursuant to Section 107(d)(4) of the Act (56 FR 56694; November 6, 1991).