sanctions clocks. Based on this action, application of the offset sanctions will be deferred and application of the highway sanctions will be deferred until EPA's final action fully approving the State's submittal becomes effective or until EPA takes action proposing or disapproving in whole or part the State submittal. If EPA's proposed rulemaking action fully approving the State submittal becomes final, at that time any sanctions clocks will be permanently stopped and any applied, stayed or deferred sanctions will be permanently lifted.

Because EPA has preliminarily determined that the State has corrected the deficiencies identified in EPA's limited disapproval actions, relief from sanctions should be provided as quickly as possible. Therefore, EPA is invoking the good cause exception under the Administrative Procedure Act (APA) in not providing an opportunity for comment before this action takes effect.1 5 U.S.C. 553(b)(B). EPA believes that notice-and-comment rulemaking before the effective date of this action is impracticable and contrary to the public interest. EPA has reviewed the State's submittal and, through its proposed action is indicating that it is more likely than not that the State has corrected the deficiencies that started the sanctions clocks. Therefore, it is not in the public interest to initially impose sanctions or to keep applied sanctions in place when the State has most likely done all that it can to correct the deficiencies that triggered the sanctions clocks. Moreover, it would be impracticable to go through notice-and-comment rulemaking on a finding that the State has corrected the deficiencies prior to the rulemaking approving the State's submittal. Therefore, EPA believes that it is necessary to use the interim final rulemaking process to temporarily stay or defer sanctions while EPA completes its rulemaking process on the approvability of the State's submittal. Moreover, with respect to the effective date of this action, EPA is invoking the good cause exception to the 30-day notice requirement of the APA because the purpose of this notice is to relieve a restriction. See 5 U.S.C. 553(d)(1).

III. Regulatory Process

Under the Regulatory Flexibility Act, 5 U.S.C. Section 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.

sections 603 and 604. Alternatively, EPA may certify that the rule will not have a significant economic 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.

This action temporarily relieves sources of an additional burden potentially placed on them by the sanctions provisions of the Act.

Therefore, I certify that it does not have an impact on any small entities.

The Office of Management and Budget (OMB) has exempted this action from review under Executive Order 12866.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, hydrocarbons, Intergovernmental regulations, Reporting and recordkeeping, Ozone, and Volatile organic compounds.

Authority: 42 U.S.C. 7401–7671q. Dated: December 27, 1994.

Felicia Marcus,

Regional Administrator.
[FR Doc. 95–520 Filed 1–9–95; 8:45 am]
BILLING CODE 6560–50–P

40 CFR Part 52

[CT-11-1-5813; ME-11-1-6313; RI-10-1-6319; VT-6-1-6312; A-1-FRL-5120-8]

Approval and Promulgation of Air Quality Implementation Plans; Connecticut, Maine, Rhode Island, and Vermont; Emission Statements

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is approving revisions to the respective State Implementation Plans (SIPs) for the following four States: Connecticut, Maine, Rhode Island, and Vermont. Revisions to the SIP were submitted by each of these four States to implement an emission statement program for stationary sources throughout the State. Connecticut submitted section 22a-174-4(c)(1), under the section entitled "Recordkeeping and Reporting", and amendments to the SIP narrative entitled "Revision to State Implementation Plan for Air Quality Emission Statements" on January 12, 1993. On January 3, 1994, Maine submitted Chapter 137, "Emission Statements" and amendments to Chapter 100, "Definitions." Rhode Island submitted amendments to Regulation Number 14 entitled "Record Keeping and Reporting" on January 12,

1993. On August 9, 1993, Vermont submitted a rule entitled "Registration of Air Contaminant Sources,' 5-801 through 5-806, and a SIP Narrative, "State of Vermont Air Quality Implementation Plan, February 1993. These SIP revisions were submitted by the States to satisfy the Federal requirements for an emission statement program as part of the SIP. **EFFECTIVE DATE:** This rule will become effective on February 9, 1995. **ADDRESSES:** Copies of the States' submittals and other information are available for inspection during normal business hours, by appointment, at the following locations: Air, Pesticides and Toxics Management Division, US Environmental Protection Agency, Region I, One Congress Street, 10th floor, Boston, MA 02203 and Public Information Reference Unit, Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460. In addition, Connecticut's submittal is available at the Bureau of Air Management, Department of Environmental Protection, State Office Building, 165 Capitol Avenue, Hartford, CT 06106; Maine's submittal is available at the Bureau of Air Quality Control, Department of Environmental Protection, State House, Station 17, Augusta, ME 04333; Rhode Island's submittal is available at the Division of Air and Hazardous Materials. Department of Environmental Management, 291 Promenade Street, Providence, RI 02908-5767; and Vermont's submittal is available at the

FOR FURTHER INFORMATION CONTACT: Daria L. Dilaj at (617) 565–3249.

Air Pollution Control Division, Agency

Environmental Management, Building 3

of Natural Resources, Department of

SUPPLEMENTARY INFORMATION:

South, 103 South Main Street,

Waterbury, VT 05676.

Background

On September 21, 1994 (59 FR 48411), EPA published a notice of proposed rulemaking (NPR) for the States of Connecticut, Maine, Rhode Island, and Vermont. The NPR proposed approval of the emission statement regulations adopted by these states. No public comments were received on the NPR.

The following SIP revisions address sections 182(a)(3)(B) and 184(b)(2) of the Clean Air Act, which require that States develop and submit, as SIP revisions, rules which establish annual reporting requirements for precursors of ozone from stationary sources.

The State of Connecticut developed an emission statement program using the existing regulatory authority given

¹ As previously noted, however, by this action EPA is providing the public with a chance to comment on EPA's determination after the effective date and EPA will consider any comments received in determining whether to reverse such action.