SIP revision will automatically convert to a final disapproval.

Public comments are solicited on the requested SIP revision and on USEPA's proposed conditional approval. Public comments received by February 10, 1995 will be considered in the development of USEPA's final rulemaking action.

This action has been classified as a Table 2 action by the Regional Administrator under the procedures published in the **Federal Register** on January 19, 1989, (54 FR 2214–2225), as revised by an October 4, 1993, memorandum from Michael H. Shapiro, Acting Assistant Administrator for Air and Radiation. The Office of Management and Budget (OMB) has exempted this regulatory action from Executive Order 12866 review.

Nothing in this action should be construed as permitting, allowing or establishing a precedent for any future request for revision to any SIP. Each request for revision to any SIP shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

Under the Regulatory Flexibility Act, 5 U.S.C. 600 et seq., USEPA 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, USEPA may certify that the rule will not have a significant 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.

SIP approvals under section 110 and subchapter I, Part D of the Act do not create any new requirements, but simply approve requirements that the State is already imposing. Therefore, because the Federal SIP-approval 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. The Act forbids USEPA to base its actions concerning SIPs on such grounds. Union Electric Co. v. U.S. E.P.A., 427 U.S. 246, 256-66 (S. Ct. 1976); 42 U.S.C. 7410(a)(2).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Volatile organic compounds.

Authority: 42 U.S.C. 7401-7671q.

Dated: December 29, 1994.

Valdas V. Adamkus,

Regional Administrator.

[FR Doc. 95-690 Filed 1-10-95; 8:45 am]

BILLING CODE 6560-50-P

40 CFR Part 81

[ID-A-94-64; FRL-5137-6]

Designation of Areas for Air Quality Planning Purposes; State of Idaho

AGENCY: United States Environmental Protection Agency (EPA).

ACTION: Notice of proposed rulemaking.

SUMMARY: Pursuant to the Clean Air Act as amended in 1990, EPA is authorized to promulgate redesignation of areas as nonattainment for the PM-10 (particulate matter with an aerodynamic diameter of less than or equal to a nominal ten micrometers) National Ambient Air Quality Standards (NAAQS). In a prior action, EPA proposed to redesignate as nonattainment for PM-10 a portion of Kootenai County consisting of the City of Coeur d'Alene. In today's action, EPA is requesting public comment on a proposal to expand the proposed nonattainment boundary and redesignate a larger portion of Kootenai County, Idaho, from unclassifiable to nonattainment for PM-10. EPA is proposing that the portion of Kootenai County outside the exterior boundary of the Coeur d'Alene Indian Reservation be designated nonattainment and classified moderate for PM-10. Monitored violations of the PM-10 NAAQS have been recorded at monitoring sites in Coeur d'Alene and Post Falls, Idaho.

DATES: All written comments on this proposal should be submitted by March 13, 1995.

ADDRESSES: Written comments should be addressed to: Montel Livingston, SIP Manager, U.S. EPA, Air Programs Development Section (AT–082), 1200 Sixth Avenue, Seattle, Washington 98101.

Information supporting this rulemaking action can be found in Public Docket ID-A-94-64 at U.S. EPA, Air Programs Development Section, 1200 Sixth Avenue, Seattle, Washington 98101. The docket may be inspected from 8 A.M. to 4:30 P.M. on weekdays, except for legal holidays.

FOR FURTHER INFORMATION CONTACT: Steven Body, Environmental Protection Agency (ATD-082), Air and Radiation Branch, 1200 6th Avenue, Seattle, Washington 98101, 206/553-0782.

SUPPLEMENTARY INFORMATION:

I. General

EPA is authorized to initiate redesignation of areas as nonattainment for PM-10 pursuant to section 107(d)(3) of the Act 1 on the basis of air quality data, planning and control considerations or any other air quality related considerations the Administrator deems appropriate. A nonattainment area is defined as any area that does not meet, or any area with sources that significantly contribute to ambient air quality in a nearby area that does not meet, the National Ambient Air Quality Standards (NAAQS) (see section 107(d)(1)(A)(i) of the Act).² Thus, in determining the appropriate boundary for a nonattainment area, EPA considers not only the areas where the violations occurred but also nearby areas which contain sources that could significantly contribute to such violations.

In the absence of technical information identifying particular sources contributing to violations of the NAAQS, EPA policy for PM-10 is to use political boundaries associated with the area where the monitored violations occurred and in which it is reasonably expected that sources contributing to the violations are located (see, for example, 57 FR 43846 at 43848 (Sept. 22, 1992)). PM-10 nonattainment boundaries are generally presumed to be, as appropriate, the county, township or other municipal subdivision in which the ambient particulate matter monitors recording the PM-10 violations are located. EPA has presumed that this would include both the areas in violation of the PM-10 NAAQS and areas containing sources that significantly contribute to the violations. Moreover, EPA tends to consider and propose more expansive nonattainment area political boundaries to ensure that sources contributing to the nonattainment problem are considered in the State's technical evaluation and analysis of the area's air quality problem. However, a boundary other than a county perimeter or other municipal boundary may be more appropriate. Affected States and Tribes may submit information demonstrating that, consistent with section 107(d)(1)(A)(i) of the Act, a boundary

¹ References herein are to the Clean Air Act, as amended by the Clean Air Act Amendments of 1990, Pub. L. 101–549, 104 Stat. 2399 ("the Act"). The Act is codified, as amended, at the U.S. Code in 42 U.S.C. 7401, *et seq.*

² EPA has construed the definition of nonattainment area to require some material or significant contribution in a nearby area. The Agency believes it is reasonable to conclude that something greater than a molecular impact is required.