publication, the EPA states its intention to convert the direct final to a proposal should adverse or critical comments be filed. Thus, this direct final action will be effective August 14, 1995, unless, by July 13, 1995, adverse or critical comments are received.

If the EPA receives such comments, this action will be withdrawn before the effective date by publishing a subsequent notice that will withdraw the final action. All public comments received will then be addressed in a subsequent final rule based on this action serving as a proposed rule. The EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time. If no such comments are received, the public is advised that the direct final action will be effective August 14, 1995.

Regulatory Process

Under the Regulatory Flexibility Act, 5 U.S.C. 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. 603 and 604. Alternatively, EPA 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 population of less than 50,000.

SIP approvals under sections 110 and 301(a) and subchapter I, Part D of the CAA 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 CAA, preparation of a regulatory flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The CAA forbids EPA 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).

The 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, Incorporation by reference, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Note: Incorporation by reference of the State Implementation Plan for the State of California was approved by the Director of the Federal Register on July 1, 1982.

Dated: May 19, 1995.

Alexis Strauss,

Acting Regional Administrator.

Subpart F of part 52, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

1. The authority citation for part 52 continues to read as follows:

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

Subpart F—California

2. Section 52.220 is amended by adding paragraphs (c)(214), (215), and (216) to read as follows:

§52.220 Identification of plan.

(c) * * *

(214) New and amended regulations for the following APCDs were submitted on January 24, 1995, by the Governor's designee.

- (i) Incorporation by reference.
- (A) South Coast Air Quality Management District.
- (1) Rule 1151, adopted on December 9, 1994.
- (215) New and amended regulations for the following APCDs were submitted on February 24, 1995, by the Governor's designee.
 - (i) Incorporation by reference.
- (A) South Coast Air Quality Management District.
- (1) Rules 1125 and 1126, adopted on January 13, 1995.
- (216) New and amended regulations for the following APCDs were submitted on March 31, 1995, by the Governor's designee.
 - (i) Incorporation by reference.
- (A) Mojave Desert Air Quality Management District.
- (1) Rule 1116, adopted on February 22, 1995.

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40 CFR Part 52

[CA-140-2-6993c; FRL 5212-2]

Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision; Interim Final Determination that State has Corrected the Deficiency

AGENCY: Environmental Protection Agency (EPA).

ACTION: Interim final determination.

SUMMARY: Elsewhere in today's Federal Register, EPA is publishing a direct final rulemaking fully approving revisions to the California State Implementation Plan. The revisions concern rules from South Coast Air Quality Management District (SCAQMD) and Mojave Desert Air Quality Management District (MDAQMD): SCAQMD Rules 1125, 1126, and 1151, and MDAQMD Rule 1116. EPA is also publishing in today's Federal Register a proposed rulemaking to provide the public with an opportunity to comment on EPA's action. If a person submits adverse comments on EPA's proposed action within 30 days of publication of the proposed and direct final actions, EPA will withdraw its direct final action and will consider any comments received before taking final action on the State's submittal. Based on the proposed full approval, EPA is making an interim final determination by this action that the State has corrected the deficiencies for which sanctions clocks began on December 20, 1993 and April 14, 1994. This action will defer the application of the offset sanctions and defer the application of the highway sanctions. Although this action is effective upon publication, EPA will take comment. If no comments are received on EPA's proposed approval of the State's submittal, the direct final action published in this Federal Register will also finalize EPA's determination that the State has corrected the deficiencies that started the sanctions clocks. If comments are received on EPA's proposed approval and this interim final action, EPA will publish a final notice taking into consideration any comments received.

DATES: This interim final determination is effective June 13, 1995. Comments must be received by July 13, 1995.

ADDRESSES: Comments should be sent to: Rulemaking Section (A-5-3), Air and Toxics Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA

The state submittal and EPA's analysis for that submittal, which are the basis for this action, are available for public review at the above address and at the following locations:

Environmental Protection Agency, Air Docket (6102), 401 M Street SW., Washington, DC 20460

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 2020 L Street, Sacramento, CA 92123-1095