

Court of Appeals for the appropriate circuit by September 11, 1995. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purpose of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements (see section 307(b)(2)).

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Ozone, Hydrocarbons, Incorporation by reference, Volatile organic compounds.

Dated: June 14, 1995.

**David Kee,**

*Acting Regional Administrator.*

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 O—Illinois

2. Section 52.720 is amended by adding paragraph (c)(112) to read as follows:

##### § 52.720 Identification of plan.

(c) \* \* \*

(112) On March 28, 1995, the State of Illinois submitted a revision to its ozone State Implementation Plan for P & S, Incorporated's facility located in Wood Dale, Du Page County, Illinois. It grants a compliance date extension from Stage II vapor control requirements (35 Ill. Adm. Code 218.586) from November 1, 1994 until April 1, 1996, or 60 days after notification to P & S, Incorporated that the roadway construction complicating the installation of Stage II equipment will be abandoned for any reason, whichever is sooner.

(i) *Incorporation by reference.*

(A) Illinois Pollution Control Board Final Opinion and Order, PCB 94–299, adopted on February 16, 1995, and effective on February 16, 1995. Certification dated March 1, 1995 of Acceptance by P & S, Incorporated.

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#### 40 CFR Parts 52 and 70

[CA77–2–7058; AD–FRL–5227–7]

#### Clean Air Act Final Interim Approval of Operating Permits Program for Glenn County, Lake County, Shasta County and Tehama County, California; Final Approval of State Implementation Plan Revision for the Issuance of Federally Enforceable State Operating Permits, Lake County, California

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** The EPA is promulgating interim approval of the Operating Permits Programs submitted by the California Air Resources Board (CARB) on behalf of Glenn County Air Pollution Control District (APCD), Lake County Air Quality Management District (AQMD), Shasta County AQMD, and Tehama County APCD, California (the four districts) for the purpose of complying with Federal requirements for an approvable State program to issue operating permits to all major stationary sources, and to certain other sources. In addition, EPA is promulgating final approval of a revision to Lake County's portion of the California State Implementation Plan (SIP) regarding synthetic minor regulations for the issuance of federally enforceable state operating permits (FESOP) limiting emissions of criteria pollutants. In order to extend the federal enforceability of state operating permits to hazardous air pollutants (HAP), EPA is also finalizing approval of Lake County's synthetic minor regulations pursuant to section 112(l) of the Clean Air Act (CAA or Act).

**EFFECTIVE DATE:** August 14, 1995.

**ADDRESSES:** Copies of the four districts' submittals and other supporting information used in developing the final interim approval are available for inspection during normal business hours at the following location: Operating Permits Section, A–5–2, Air and Toxics Division, U.S. EPA–Region IX, 75 Hawthorne Street, San Francisco, California 94105.

**FOR FURTHER INFORMATION CONTACT:** For information on the Lake County program and SIP, please contact: Ed Pike, (415) 744–1248. For information on the programs for the other districts, please contact: Sara Bartholomew, (415) 744–1170.

#### SUPPLEMENTARY INFORMATION:

##### I. Background and Purpose

###### A. Introduction

Title V of the 1990 Clean Air Act Amendments (sections 501–507 of the

Act), and implementing regulations at 40 Code of Federal Regulations (CFR) Part 70 require that States develop and submit operating permits programs to EPA by November 15, 1993, and that EPA act to approve or disapprove each program within 1 year after receiving the submittal. The EPA's program review occurs pursuant to section 502 of the Act and the part 70 regulations, which together outline criteria for approval or disapproval. Where a program substantially, but not fully, meets the requirements of part 70, EPA may grant the program interim approval for a period of up to 2 years. If EPA has not fully approved a program by 2 years after the November 15, 1993 date, or by the end of an interim program, it must establish and implement a Federal program. On November 29, 1994, EPA proposed disapproval, or in the alternative, interim approval of the operating permits program for Glenn County, Lake County, Shasta County and Tehama County, California. See 54 FR 60931. The proposed disapproval was due to deficiencies in the districts' upset/breakdown rules. The EPA received public comment on the proposal, and is responding to those comments in this document and in a separate "Response to Comments" document that is available in the docket. The EPA also compiled a Technical Support Document (TSD) for each of the four districts, which describes the operating permits program in greater detail.

In this notice EPA is taking final action to promulgate interim approval of the operating permits program for Glenn County APCD, Lake County AQMD, Shasta County AQMD, and Tehama County APCD, California.

On June 28, 1989 (54 FR 27274), EPA published criteria for approving and incorporating into the SIP regulatory programs for the issuance of federally enforceable state operating permits. Permits issued pursuant to an operating permit program meeting these criteria and approved into the SIP are considered federally enforceable for criteria pollutants. The synthetic minor mechanism may also be used to create federally enforceable limits for emissions of hazardous air pollutants (HAP) if it is approved pursuant to section 112(l) of the Act.

In the November 29, 1994 **Federal Register**, EPA also proposed approval of Lake County's synthetic minor program for creating federally enforceable limits in District operating permits. In this notice, EPA is promulgating approval of the synthetic minor program for Lake County as a revision to Lake County's SIP.