

June, unless otherwise specified in the Coast Guard Local Notice to Mariners.

Dated: July 12, 1995.

G. F. Woolever,

*Rear Admiral, U.S. Coast Guard, Commander,
Ninth Coast Guard District.*

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[AZ 43-1-6868; FRL-5264-6]

Approval and Promulgation of Implementation Plans; Arizona State Implementation Plan Revision, Maricopa County Environmental Services Department

AGENCY: Environmental Protection
Agency (EPA).

ACTION: Notice of proposed rulemaking
(NPRM).

SUMMARY: EPA is proposing to approve revisions to the Arizona State Implementation Plan (SIP) which concern the control of volatile organic compound (VOC) emissions from rubber sports ball manufacturing and metal casting operations.

The intended effect of proposing approval of these rules is to regulate emissions of VOCs in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). EPA's final action on this notice of proposed rulemaking (NPRM) will incorporate these rules into the federally approved SIP. EPA has evaluated each of these rules and is proposing to approve them under provisions of the CAA regarding EPA action on SIP submittals, SIPs for national primary and secondary ambient air quality standards and plan requirements for nonattainment areas.

DATES: Comments must be received on or before August 25, 1995.

ADDRESSES: Comments may be mailed to: Daniel A. Meer, Rulemaking Section [A-5-3], Air and Toxics Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901.

Copies of the rules and EPA's evaluation report of each rule are available for public inspection at EPA's Region 9 office during normal business hours. Copies of the submitted rules are also available for inspection at the following locations:

Arizona Department of Environmental
Quality, 3033 North Central Avenue,
Phoenix, AZ 85012;

Maricopa County Department of
Environmental Services, 2406 South
24th Street, Suite E-204, Phoenix, AZ
85034-6822.

FOR FURTHER INFORMATION CONTACT:

Duane F. James, Rulemaking Section
(A-5-3), Air and Toxics Division, U.S.
Environmental Protection Agency,
Region IX, 75 Hawthorne Street, San
Francisco, CA 94105-3901, (415) 744-
1191.

SUPPLEMENTARY INFORMATION:

Applicability

The rules being proposed for approval into the Arizona SIP include: Maricopa County Environmental Services Department's (MCESD's) Rule 334, "Rubber Sports Ball Manufacturing," and Rule 341, "Metal Casting." These rules were submitted by the Arizona Department of Environmental Quality to EPA on August 16, 1994 (Rule 341) and December 19, 1994 (Rule 334).

Background

On March 3, 1978, EPA promulgated a list of ozone nonattainment areas under the provisions of the Clean Air Act, as amended in 1977 (1977 CAA or pre-amended Act), that included the Maricopa County Area. 43 FR 8964; 40 CFR 81.303. On March 19, 1979, EPA changed the name and modified the geographic boundaries of the ozone nonattainment area of Maricopa County to the Maricopa Association of Governments (MAG) Urban Planning Area. 44 FR 16391, 40 CFR 81.303. On February 24, 1984, EPA notified the Governor of Arizona, pursuant to section 110(a)(2)(H) of the pre-amended ACT, that MCESD's portion of the Arizona SIP was inadequate to attain and maintain the ozone standard and requested that deficiencies in the existing SIP be corrected (EPA's SIP-Call, 49 FR 18827, May 3, 1984). On May 26, 1988, EPA again notified the Governor of Arizona that MCESD's portion of the Arizona SIP was inadequate to attain and maintain the ozone standard and requested that deficiencies relating to VOC controls and the application of reasonably available control technology (RACT) in the existing SIP be corrected (EPA's second SIP-Call, 53 FR 34500, September 7, 1988). On November 15, 1990, the Clean Air Act Amendments of 1990 were enacted. Pub. L. 101-549, 104 Stat. 2399, codified at 42 U.S.C. 7401-7671q. In amended section 182(b)(2)(C) of the CAA, Congress statutorily required nonattainment areas to submit RACT rules for all major stationary sources of VOCs by

November 15, 1992 (the RACT catch-up requirement).

The MAG Urban Planning Area is classified as moderate;¹ therefore, this area was subject to the RACT catch-up requirement and the November 15, 1992 deadline.²

The State of Arizona submitted many revised RACT rules for incorporation into its SIP on August 16, 1994, and December 19, 1994, including the rules being acted on in this document. This document addresses EPA's proposed action for MCESD's Rule 334, "Rubber Sports Ball Manufacturing," and Rule 341, "Metal Casting." The MCESD adopted Rule 334 on September 20, 1994, and Rule 341 on August 5, 1994. These submitted rules were found to be complete on August 16, 1994 (Rule 341) and January 19, 1995 (Rule 334) pursuant to EPA's completeness criteria that are set forth in 40 CFR Part 51 Appendix V³ and are being proposed for approval into the SIP.

Rules 334 and 341 control VOC emissions from rubber sports ball manufacturing and metal casting operations by restricting the VOC content of materials used in these operations or by requiring emission control systems. VOCs contribute to the production of ground-level ozone and smog. The rules were adopted as part of the MCESD's efforts to achieve the National Ambient Air Quality Standard (NAAQS) for ozone and in response to EPA's SIP-Call and the section 182(b)(2)(C) CAA requirement. The following is EPA's evaluation and proposed action for these rules.

EPA Evaluation and Proposed Action

In determining the approvability of a VOC rule, EPA must evaluate the rule for consistency with the requirements of the CAA and EPA regulations, as found in section 110 and Part D of the CAA and 40 CFR Part 51 (Requirements for Preparation, Adoption, and Submittal of Implementation Plans). The EPA interpretation of these requirements, which forms the basis for today's action, appears in the various EPA policy

¹ The MAG Urban Planning Area retained its designation of nonattainment and was classified by operation of law pursuant to sections 107(d) and 181(a) upon the date of enactment of the CAA. See 55 FR 56694 (November 6, 1991).

² Arizona did not make the required SIP submittal by November 15, 1992. On January 15, 1993, the EPA made a finding of nonsubmittal pursuant to section 179(a)(1), which started an 18-month sanction clock. The rules being acted upon in this NPRM were submitted in response to the EPA finding of failure to submit.

³ EPA adopted the completeness criteria on February 16, 1990 (55 FR 5830) and, pursuant to section 110(k)(1)(A) of the CAA, revised the criteria on August 26, 1991 (56 FR 42216).