subject to the Unfunded Mandates Reform Act of 1995 (Unfunded Mandates Act), signed into law on March 22, 1995.

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by October 16, 1995. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes 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, Small business assistance program.

Dated: July 28, 1995.

### William E. Muno,

Acting Regional Administrator.

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

# PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

**Authority:** 42 U.S.C. 7401–7671q.

### Subpart KK—[Amended]

2. Section 52.1889 is added to read as follows:

# § 52.1889 Small business stationary source technical and environmental compliance assistance program.

The Ohio program, submitted as a requested revision to the Ohio State Implementation Plan on May 17, 1994, and May 4, 1995, satisfies the requirements of section 507 of the Clean Air Act.

[FR Doc. 95–20019 Filed 8–14–95; 8:45 am] BILLING CODE 6560-50-P

### 40 CFR Part 70

[OH001; FRL-5276-9]

## Clean Air Act Final Full Approval of Operating Permits Program; Ohio

**AGENCY:** Environmental Protection

Agency (EPA).

**ACTION:** Final full approval.

**SUMMARY:** The EPA is fully approving the operating permits program

submitted by the State of Ohio 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.

**EFFECTIVE DATE:** October 1, 1995.

ADDRESSES: Copies of the State's submittal and other supporting information used in developing the final full approval are available for inspection during normal business hours at the following location: EPA Region 5, Air and Radiation Division (AR–18J), 77 West Jackson Boulevard, Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: Steven Pak, EPA Region 5, Air and Radiation Division (AR–18J), 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886–1497.

#### SUPPLEMENTARY INFORMATION:

### I. Background and Purpose

Title V of the Clean Air Act ("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 one 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 two years. If EPA has not fully approved a program by two years after the November 15, 1993 date, or by the end of an interim program, it must establish and implement a Federal

On April 13, 1995, EPA proposed full approval of the operating permits program for the State of Ohio. See 60 FR 18790. EPA received comments from two organizations on the proposal and is responding to the comments below. EPA has also compiled a Technical Support Document responding to the comments. In this notice, EPA is taking final action to promulgate full approval of the operating permits program for the State of Ohio.

### **II. Final Action and Implications**

### A. Analysis of State Submission

On April 13, 1995, EPA proposed full approval of the operating permits program for the State of Ohio. The program elements and issues discussed in the proposal are unchanged since the original analysis in the proposal and the

program continues to fully meet the requirements of part 70.

### B. Response to Public Comments

EPA received comments from two organizations: Porter, Wright, Morris & Arthur, submitted on behalf of the Ohio Chamber of Commerce, the Ohio Chemical Council, and the Printing Industry of Ohio; and Wright-Patterson Air Force Base in Ohio. Porter, Wright, Morris & Arthur supports EPA's proposed full approval. Wright-Patterson Air Force Base included a list of nine comments on the Ohio operating permits program. Responses to these nine comments follow.

One of the comments questions the approvability of the Ohio operating permits program because the electronic application form currently being developed by the State is "nothing like" the application form that the State submitted with its program. The part 70 requirements with respect to application forms deal with application content and not format. These requirements are found at section 70.5(c) and are fully satisfied by the State's regulations. This comment does not alter EPA's approval of the Ohio program because the commentor did not provide any information to indicate that the electronic version of the application form is inconsistent with section 70.5(c), and because the electronic application form to which the commentor refers has not been submitted to EPA for approval and is not an element of this approval.

Five of the comments can be categorized as inquiries and concerns with program implementation. These comments do not deal with program approval requirements under part 70 and do not affect EPA's approval of the Ohio operating permits program. The commentor should approach the State directly with these program implementation questions and concerns.

The remaining three comments express dissatisfaction with the scope of specific provisions in the State's program and could be considered requests for EPA to broaden the scope of the State's program; however, the provisions that the commentor references currently comply with the requirements of part 70. In addition, EPA's role in the approval process is to review and approve or disapprove operating permits programs submitted by States and not to make revisions to those programs. In any case, the commentor should contact the State with requests for program revisions.