fee, *see* OAR 340–28–2120(3), and does not allow the exemption of IEUs from the permit content requirements of Oregon's program, *see* OAR 340–28– 2130.

Permits issued by the State of Oregon have included generally applicable requirements contained in the Oregon State Implementation Plan (A final title V permit that has been issued by Oregon is in the docket). Permits contain provisions requiring sources to monitor IEUs subject to applicable requirements, for example, by estimating emissions once every five years and conducting semi-annual compliance inspections of IEUs, the results of which are recorded in a company log. Permits also contain a chart of test methods and procedures for determining compliance with generally applicable requirements. In short, by using standard permit terms to address compliance certification, testing, monitoring, recordkeeping and reporting requirements for common generally applicable requirements that apply to IEUs, the State of Oregon appears to have minimized the burden of ensuring that a permit meets the requirements of § 70.6.

4. Proposed Interim Approval

In summary, EPA continues to believe that the Washington program does not fully meet the requirements of title V and part 70 with respect to IEUs. Specifically, Washington's definition of 'insignificant activity'' and "insignificant emission unit" in WAC 173-401-200(16) exempts such activities and units from all of the permit program requirements of WAC 173–401 except those requirements contained in WAC 173-401-530. WAC 173-401-530, however, does not ensure that all of the necessary provisions of §§ 70.5 and 70.6 are met for those IEUs which are subject to applicable requirements and does not ensure that emissions from IEUs must be included in determining whether a source is even subject to Washington's operating permits program.

EPA does not believe, however, that the deficiencies in the Washington program with respect to IEUs warrant disapproval of the Washington program. Section 502(g) of the Act and 40 CFR 70.4(d) authorize EPA to grant interim approval to a State operating permits program if the program substantially meets the requirements of part 70, but does not qualify for full approval. Although § 70.4(d)(3)(ii) requires a program to have adequate authority to issue permits that assure compliance with all of the requirements of title V and part 70 in order to receive interim approval, EPA believes that the

deficiencies in Washington's program with respect to IEUs are sufficiently narrow to qualify for interim approval. Specifically, WAC 173-401-530(2)(a) limits the exemption for IEUs to just those emission units and activities that are subject to no other federally enforceable applicable requirements than generally applicable requirements of the Washington SIP. Emission units or activities, regardless of size, emission rate, or category, which are subject to any other federally enforceable requirement do not qualify as IEUs and as such, do not qualify for the exemption from the permit application and permit content requirements provided by WAC 173-401-200(16) and WAC 173–401–530. Only IEUs subject solely to the generally applicable requirements of the SIP are exempted under the Washington program from many of the requirements for permit applications and permit content, and those exemptions would be limited to just those generally applicable requirements. As such, the Washington program meets the requirements of part 70 for most emission units and activities and EPA therefore proposes to grant interim approval to the Washington operating permits programs with respect to the IEU provisions.

B. Jurisdiction of the Benton County Clean Air Authority

On April 12, 1995, the Director of the State of Washington Department of Ecology submitted a revision to the State of Washington title V operating permits program, specifically, a change in the jurisdiction of the Benton-Franklin Counties Clean Air Authority. The submittal explained that on January 1, 1995 the Benton-Franklin Counties Clean Air Authority became the Benton County Clean Air Authority, returning jurisdiction for title V permitting and enforcement over sources in Franklin County to the Washington Department of Ecology as a matter of State law.

EPA has reviewed this revision to the Washington title V operating permits program and does not believe that the proposed change in the permitting authority for title V sources in Franklin County impacts the approvability of the operating permits programs submitted by the Benton County Clean Air Authority program or the Washington Department of Ecology. Therefore, EPA proposes to approve this revision to the Washington title V operating permits program.

C. Correction to Interim Approval Expiration Dates

EPA granted interim approval to the Washington title V operating permits

program on November 9, 1994, which action became effective on December 9, 1994. See 59 FR 55813. Section 502(g) of the Act provides that an interim approval shall expire on a date set by the Administrator not later than 2 years after such approval. The Federal Register notice stated, however, that the interim approval of the Washington program would expire on November 9 1996, which is 2 years from the date of publication of the notice, and not, as EPA intended, 2 years from the effective date of the notice, or December 9, 1996. The notice also set May 9, 1996 as the submittal date for a corrective program, which is only 17 months after the effective date of the interim approval, rather than June 9, 1996, which is 18 months after the effective date. EPA is therefore by this notice proposing to correct the dates in 40 CFR part 70, Appendix A for expiration of the interim approval of the Washington State title V operating permits program from November 9, 1996 to December 9, 1996, and proposing to correct the date by which the State must submit a corrective program from May 9, 1996 to June 9, 1996.

III. Proposed Action and Implications

A. Proposed Action

EPA is proposing to require that the State of Washington change its regulations addressing IEUs to conform to the requirements of part 70 as a condition of full approval of the operating permits program submitted by the State of Washington on November 16, 1993. If promulgated, the State must make the following revisions to its IEU provisions to receive full approval:

(5) Revise WAC 173-401-200(16) (Definition of "insignificant activity" and "insignificant emission unit"), WAC 173-401-500 (Permit applications), WAC 173-401-510 (Permit application form), WAC 173-401-530 (Insignificant emission units), WAC 173-401-532 (Categorically exempt insignificant emission units) and WAC 173-401-533 (Units and activities defined as insignificant on the basis of size or production rate) to ensure that emissions from IEUs are not exempted from applicability determinations; that permit applications contain a list of all IEUs which are exempted because of size or production rate; that permit applications contain all information needed to determine the applicability of or to impose any applicable requirement or required fee; and that permits contain all applicable requirements and meet all permit content requirements of 40 CFR 70.6 for all emission units, even for IEUs.

This proposed requirement replaces Condition 5 under the heading "Ecology" in Section II.B. of EPA's November 9, 1994, Federal Register notice granting final interim approval of