for specific source categories. Under the CAA, Congress ratified EPA's use of these documents, as well as other Agency policy, for requiring States to "fix-up" their RACT rules. See section 182(a)(2)(A). The CTG applicable to BAAQMD's Rule 8-13 is entitled "Control of Volatile Organic Emissions from Stationary Sources—Volume II: Surface Coating of Cans, Coils, Paper, Fabrics, Automobiles, and Light-Duty Trucks", EPA-450/2-77-008. The CTGs applicable to BAAQMD's Rule 8-14 are entitled "Control of Volatile Organic **Emissions from Existing Stationary** Sources—Volume V: Surface Coating of Large Appliances", EPA-450/2-77-034, and "Control of Volatile Organic **Emissions from Existing Stationary** Sources—Volume III: Surface Coating of Metal Furniture", EPA-450/2-77-032 The CTG applicable to BAAQMD's Rule 8-23 is entitled "Control of Volatile Organic Emissions from Existing Stationary Sources—Volume VII: Factory Surface Coating of Flat Wood Paneling", EPA-450/2-78-032. Rule 8-47 controls emissions from a source category for which EPA has not developed a CTG. Consequently, Rule 8-47 was evaluated against the general RACT requirements of the Clean Air Act (section 110 and part D), 40 CFR part 51, and other EPA policy including the EPA Region IX/CARB document entitled, Guidance Document for Correcting VOC Rule Deficiencies, April 1991. Further interpretations of EPA policy are found in the Blue Book, referred to in footnote 1. In general, these guidance documents have been set forth to ensure that VOC rules are fully enforceable and strengthen or maintain the SIP.

BAAQMD's submitted Rule 8–13 includes the following significant changes from the current SIP:

 deletes exemptions for miscellaneous coatings and constrained coating lines,

• incorporates applicable coating limits from two other BAAQMD rules (Rules 8–19 and 8–31) into Rule 8–13,

 establishes VOC limits on a "solidsapplied basis",

- adds and changes several definitions,
- develops a new compliance schedule.
- revises recordkeeping section to require monthly records instead of annual records,
- adds recordkeeping requirements for air pollution abatement equipment,
- includes EPA Test Methods 24 and 24A as test methods that can be used to determine compliance.

BAAQMD's submitted Rule 8–14 includes the following significant changes from the current SIP:

- reduces low usage coating exemption amount to 55 gallons,
- adds a definition for key system operating parameter,
- adds recordkeeping requirements for air pollution abatement equipment,
- includes EPA suggested language referencing EPA Test Methods 25 and 25A as test methods that can be used to determine compliance.

BAAQMD's submitted Rule 8–23 includes the following significant changes from the current SIP:

- mandates that air pollution abatement equipment have an abatement device efficiency of at least 90% and meet the requirements of Regulation 2, Rule 1,
- requires persons operating air pollution abatement equipment to record key system operating parameters on a daily basis,
- includes EPA suggested language referencing EPA Test Methods 25 and 25A as test methods that can be used to determine compliance.

BAAQMD's Rule 8–47 is a new rule which was adopted to limit the VOC emissions from air stripping and soil vapor extraction equipment used for the treatment of contaminated groundwater and soil. The rule strengthens the SIP by:

- regulating a previously unregulated source,
- requiring any air stripping and soil vapor extraction operations which emit benzene, vinyl chloride, perchloroethylene, methylene chloride and/or trichloroethylene to be vented to a control device which reduces emissions to the atmosphere by at least 90% by weight,
- mandating that any air stripping and soil vapor extraction operations with a total organic compound emission greater than 15 pounds per day be vented to a control device which reduces emissions to the atmosphere by at least 90% by weight,
- requiring sources to apply for permits and/or to provide written notification of intention to operate and to maintain records of water analysis and vapor monitoring results,
- providing test methods for air stripper water samples, organic compound concentration in the water, and the determination of emissions,
- exempting small operations, air stripping and soil vapor extraction operations with total emissions of less than one pound per day, sewage treatment facilities, and industrial wastewater treatment facilities.

EPA has evaluated the submitted rules and has determined that they are consistent with the CAA, EPA regulations, and EPA policy. Therefore, BAAQMD's Rule 8–13, Light and Medium Duty Motor Vehicle Assembly Plants, Rule 8–14, Surface Coating of Large Appliances and Metal Furniture, Rule 8–23, Coating of Flat Wood Paneling and Wood Flat Stock, and Rule 8–47, Air Stripping and Soil Vapor Extraction Operations, are being proposed for approval under section 110(k)(3) of the CAA as meeting the requirements of section 110(a) and part D.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any state implementation plan. Each request for revision to the state implementation plan shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

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 populations of less than 50,000.

SIP approvals under sections 110 and 301 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, 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, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements, Volatile organic compound.

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