

deficiencies listed above (i.e., specification of emission quantification, compliance assurance, and public participation procedures). Namely, the State would need to demonstrate that any potential one-time or carry-over ERCs are or will be consistent with the applicable attainment plan or demonstration, reasonable further progress (RFP) plan or milestone demonstration, and surplus to any applicable areawide RACT emission reduction requirements.

Essentially, this means that the State would need to submit documentation showing that the SIP requires, or will require, reductions equivalent to all potential one-time or carry-over ERCs beyond those reductions required from any applicable RACT, RFP, and/or attainment plan regulations, during the year(s) in which such ERCs are allowed to be used. Alternatively, the State could show that their adopted RACT, RFP, and/or attainment control strategies provide for equivalent reductions below the appropriate RFP or attainment target levels, and any applicable areawide RACT requirements. For example, if a State wanted to allow the use of 10 tons per typical summer day from a previous year, the State would need to show that its adopted control strategies provide for reductions that would create a 10 ton per day excess below the appropriate RFP or attainment target level and RACT requirements.

Additionally, appendix B(3)(g)(5) of the rule generally allows the bank to retain credits without confiscation from the State. However, the regulations also provide the State with the authority to make adjustments, including confiscation, to banked credits if needed for Rate-of-Progress (ROP), Reasonable Further Progress (RFP), or attainment requirements, as stated in appendix B(3)(l). According to appendix B(3)(l), the State would need to revise the SIP to take such action. EPA approves these provisions.

Finally, as mentioned above, although subsection (4) of the regulation has been reserved for the emissions averaging (bubbling) provisions, it was not submitted as part of the February 10, 1994 submittal. Therefore, until such time as a separate SIP revision allowing emissions averaging is approved, no generic emissions averaging would be allowed by approval of these rules.

Based on the issues discussed above, EPA is proposing to approve this revision to the Massachusetts SIP. EPA is soliciting public comments on the issues discussed in this proposal or on other relevant matters. These comments will be considered before taking final

action. Interested parties may participate in the Federal rulemaking procedure by submitting written comments to the EPA Regional office listed in the ADDRESSES section of this action.

Proposed Action

EPA is proposing approval as a non-generic economic incentive program of 310 CMR 7.00 appendix B, as submitted to the EPA on February 9, 1994, as part of the Massachusetts SIP.

Regulatory Process

This action has been classified as a Table 2 action by the Regional Administrator under the procedures published in the **Federal Register** on January 19, 1989 (54 FR 2214-2225), as revised by an October 4, 1993, memorandum from Michael H. Shapiro, Acting Assistant Administrator for Air and Radiation. A future document will inform the general public of these tables. The Office of Management and Budget has exempted this action from review under Executive Order 12866.

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 section 110 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, I certify that 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).

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.

The Administrator's decision to approve or disapprove the SIP revision will be based on whether it meets the requirements of sections 110(a)(2) (A)-(K) and 110(a)(3) of the Clean Air Act, as amended, and EPA regulations in 40 CFR part 51.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements.

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

Dated: January 31, 1995.

John P. DeVillars,

Regional Administrator, Region I.

[FR Doc. 95-4296 Filed 2-21-95; 8:45 am]

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40 CFR Part 63

[AD-FRL-5160-3]

National Emission Standards for Hazardous Air Pollutants; Proposed Standards for Hazardous Air Pollutant Emissions From Wood Furniture Manufacturing Operations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Extension of comment period.

SUMMARY: The EPA is extending the period for public comment regarding the Agency's proposed standards for hazardous air pollutant emissions from wood furniture manufacturing operations.

DATES: Written comments on the proposed rule must be received on or before March 23, 1995. Written comments pertaining only to the proposed test Method 311 must be received on or before April 24, 1995. Comments should be submitted in duplicate, and on computer disk, if possible.

ADDRESSES: Send comments to: Air and Radiation Docket and Information Center (6102), Attention, Docket No. A-93-10, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460.

Docket. Docket No. A-93-10, containing supporting information used in developing the proposed standards, is available for public inspection and copying between 8:30 a.m. and 5:00 p.m., Monday through Friday, at the EPA's Air and Radiation Docket and Information Center, Waterside Mall,