Dated: September 26, 1997.

Felicia Marcus,

Regional Administrator.

Part 52, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

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

Authority: 42 U.S.C. 7401–7671q.

Subpart F—California

2. Section 52.220 is amended by adding paragraph (c)(224)(i)(E) to read as follows:

§ 52.220 Identification of plan.

* * * * *

(c) * * *

(224) * * *

(i) * * *

(E) Santa Barbara County Air Pollution Control District.

(*1*) Amended Rule 370 adopted on June 15, 1995.

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[FR Doc. 97–27265 Filed 10–14–97; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[MD 040–3017a; FRL–5906–1]

Approval and Promulgation of Air Quality Implementation Plans; Maryland; Control of Volatile Organic Compound Emissions From Yeast Manufacturing, Screen Printing, Expandable Polystyrene Operations, and Bakeries

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is approving State Implementation Plan (SIP) revisions submitted by the State of Maryland on July 12, 1995. These revisions establish reasonable available control technology (RACT) volatile organic compound (VOC) emission reduction requirements for yeast manufacturing, screen printing, expandable polystyrene operations (EPOs), and bakeries throughout the State of Maryland. The intended effect of this action is to approve these amendments to the Maryland SIP, in accordance with the SIP submittal and revision provisions of the Clean Air Act (the Act). This action is being taken under section 110 of the Act.

DATES: This final rule is effective December 15, 1997, unless by November 14, 1997, adverse or critical comments are received. If the effective date is delayed, timely notice will be published in the **Federal Register**.

ADDRESSES: Comments may be mailed to David L. Arnold, Chief, Ozone/CO and Mobile Sources Section, Mailcode 3AT21, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air, Radiation, and Toxics Division, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107 and the Maryland Department of the Environment, 2500 Broening Highway, Baltimore Maryland 21224.

FOR FURTHER INFORMATION CONTACT: Carolyn M. Donahue, (215) 566–2095, at the EPA Region III office address listed above, or via e-mail at donahue.carolyn@epamail.epa.gov. While information may be requested via e-mail, comments must be submitted in writing to the above Region III address.

SUPPLEMENTARY INFORMATION: On July 12, 1995, the Maryland Department of the Environment (MDE) submitted new regulations to EPA as SIP revisions. These regulations control VOC emissions throughout the state. MDE submitted these SIP revision requests pursuant to the rate-of-progress (ROP) and RACT requirements of section 182 and 184 of the Act. Specifically, Maryland has adopted VOC control measures for yeast manufacturing, screen printing, EPOs and bakeries.

Background

Section 182(b)(1) of the Act requires states with ozone nonattainment areas classified as moderate or above to reduce VOC emissions 15% from 1990 baseline levels. States were required to achieve the 15% VOC emission reduction by 1996. This ROP requirement, known as the 15% plan, was due to EPA as a SIP revision by November 15, 1993.

In Maryland, 15% plans were required for the Baltimore severe ozone nonattainment area, the Maryland portion of the Philadelphia severe ozone nonattainment area, and the Maryland portion of the Washington, DC serious ozone nonattainment area. Maryland submitted the required 15% plans to EPA as SIP revisions on July 12, 1995. In these 15% plans, Maryland takes credit for the emission reductions achieved through the VOC regulations that Maryland submitted as SIP revisions on July 12, 1995, including Maryland's yeast manufacturing, screen printing, EPO, and bakery regulations. Furthermore, the VOC emission reductions achieved by these regulations are needed to achieve the 15% reduction in the Baltimore plan.

Section 184(b)(1)(B) of the Act requires areas in the Ozone Transport Region (OTR) to implement RACT regulations for all VOC sources that have the potential to emit 50 TPY or more. In addition, section 182(b)(2) requires states to implement RACT regulations on all ''major'' sources of VOC in moderate or above ozone nonattainment areas. Major VOC sources are those with the potential to emit at least 100 TPY in moderate areas, 50 TPY in serious areas, and 25 TPY in severe areas. Because Maryland is in the OTR, the State is required to implement RACT regulations for all sources with the potential to emit 50 TPY or more, throughout the state. Furthermore, in Maryland's severe ozone nonattainment areas, RACT is required for all VOC sources with the potential to emit 25 TPY or more. States were required to submit these RACT regulations to EPA as SIP revisions by November 15, 1992. Sources were required to comply with RACT by May 31, 1995.

Maryland submitted a generic VOC RACT regulation to EPA as a SIP revision on April 5, 1991. On June 8, 1993, Maryland submitted amendments to this regulation to EPA as a SIP revision. The generic RACT regulation does not contain any specific emission limitations or requirements for major sources, but instead allows the establishment of RACT through the SIP revision process for individual sources or source categories. Maryland's July 12, 1995 SIP revision submittals address the RACT requirement for the following four source categories: yeast manufacturing, screen printing, expandable polystyrene operations, and bakeries.

Summary of SIP Revisions

Control of VOC Emissions from Yeast Manufacturing (COMAR 26.11.19.17)

General Provisions

This new regulation establishes standards for controlling VOC emissions from yeast manufacturing. This regulation establishes definitions for the following terms: ''fermentation batch,'' ''first generation fermenter,'' ''stock fermenter,'' ''trade fermenter,'' and ''yeast manufacturing installation.'' An owner or operator of a yeast manufacturing installation at a premises that has a potential to emit of 25 or more tons/year from all yeast manufacturing installations is subject to this regulation. Compliance with this regulation was

required by May 15, 1995. This regulation does not apply to a fermentation batch of any variety which comprises less than 1% of the total annual yeast production by weight.

General Requirements

A person subject to this rule may not discharge VOC emissions from a yeast manufacturing installation in excess of the following concentrations: 100 parts per million (ppm) for trade fermenters, 150 ppm for first generation fermenters, and 300 ppm for stock fermenters. Compliance with these emission limits will be based on average undiluted VOC concentration during the time of a fermentation batch. Any yeast manufacturing installation not subject to these limits must monitor temperature, pH, and sugar content of the batch to minimize VOC emissions. This temperature must be controlled so that it is between 75 °F and 100 °F, and the pH must be between 3.5 and 7.5.

Compliance and Testing

Stack tests, used to calculate emissions concentrations from at least four different effluent samples per hour for the duration of the fermentation batch, and continuous process monitors, used to generate batch average concentrations for each installation, determine compliance with this regulation. Stack tests must be performed at least once every four years after an initial stack test, which was required to have been conducted before October 1, 1995. A test protocol must be submitted to MDE at least 30 days before the tests are conducted.

Reporting Requirements

Quarterly reports on process monitoring data must be submitted to MDE by the 20th of the month after the end of each calendar quarter. Stack test reports must be submitted to MDE within 60 days after each test.

EPA Evaluation: The controls on fermenters in Maryland's regulation reduce VOC emissions from yeast manufacturing installations. Maryland's recordkeeping and reporting provisions ensure that this regulation is enforceable. Therefore, this regulation, which will achieve significant VOC emission reductions from yeast manufacturing operations in Maryland, is fully approvable.

Control of VOC Emissions From Screen Printing (COMAR 26.11.19.18)

General Provisions

This revision establishes VOC controls for screen printers. This regulation establishes definitions for the following terms: ''Acid/etch resist ink,'' ''anoprint ink,'' ''back-up coating,'' ''clear coating,'' ''conductive ink,'' ''electroluminescent ink,'' ''exterior illuminated sign,'' ''haze removal,'' ''ink removal,'' ''maximum VOC content,'' ''plastic card manufacturing installation,'' ''plywood sign coating,'' ''screen printing,'' ''screen printing installation,'' ''screen reclamation,'' ''specialty inks,'' and ''untreated sign paper.''

This regulation applies to an owner or operator of a screen printing installation or plastic card manufacturing installation, or who coats plywood used for signs, at a premises that has total actual VOC emissions from all screen printing, plastic card manufacturing, and plywood coating installations of 20 or more pounds/day. These standards apply to a person who prints or coats a substrate in conjunction with or in preparation for screen printing. However, this regulation does not apply to adhesives used for screen printing.

General Requirements

A person subject to this regulation may not cause or permit the discharge of VOC unless the following requirements are observed, where lb/gal is pounds per gallon and g/l is grams per liter.

For Screen Printing:

MAXIMUM ALLOWABLE VOC CONTENT IN LB/GAL (G/L) OF THE INK (AS APPLIED)

Product or substrate	Up to 11/15/94	On or after 11/15/94 and up to 7/15/95	On or after 7/15/95
Paper	5.6 (672)	5.6 (672)	3.3 (396)
Untreated sign paper	5.6 (672)	5.6 (672)	5.6 (672)
Glass	3.3 (396)	3.3 (396)	3.3 (396)
Metal	5.8 (696)	3.3 (396)	3.3 (396)
Plastic or vinyl, other than plastic cards	6.7 (804)	6.7 (804)	3.3 (396)
Reflective sheeting	6.7 (804)	6.7 (804)	3.3 (396)
Textile/imprinted garments	3.3 (396)	3.3 (396)	3.3 (396)
Fine arts/serigraph	6.7 (804)	6.7 (804)	3.3 (396)
Pressure sensitive decals	6.7 (804)	6.7 (804)	3.3 (396)
Plywood/wood	5.0 (600)	5.0 (600)	3.3 (396)

A person subject to this regulation is in compliance if a control device that regulates VOC emissions from the screen printing dryer by no less than 90% overall is installed.

For Plywood Sign Coating:

MAXIMUM ALLOWABLE VOC CONTENT IN LB/GAL (G/L) OF THE COATING (AS APPLIED)

Coating	Before 11/15/94	On or after 11/15/94
Back-up	1.0 (120)	1.0 (120)
Prime	4.5 (540)	1.5 (180)
Main	5.0 (600)	2.5 (300)
Clear	4.5 (540)	3.3 (396)

For Plastic Card Manufacturing:

a. The VOC content of any ink or coating as applied may not exceed 6.2 lb/gal (744 g/l) until November 15, 1994, and 4.0 lb/gal (479 g/l) after July 15, 1995.

b. The isopropyl alcohol content of the fountain solution used in any offset lithographic printing on a plastic card may not exceed 12% until December 31, 1994, and 8.5% after December 31, 1994. If used, this fountain solution

must be refrigerated to 55 °F and monitored by a temperature indicator mounted on the tray holding the fountain solution.

From Use of Specialty Inks, Clear Coating, and Ink and Haze Removal or Screen Reclamation:

MAXIMUM ALLOWABLE VOC CONTENT IN LB/GAL (G/L) OF INK (AS APPLIED), INK REMOVAL OR RECLAMATION PRODUCT

Specialty ink	Before 11/15/94	On or after 11/15/94
Acid/etch	4.7 (564)	3.3 (396)
Anoprint	6.2 (744)	3.1 (372)
Conductive	8.0 (960)	8.0 (960)
Electroluminescent	8.0 (960)	8.0 (960)
Clear coating product or substrate:		
Exterior illuminated signs	7.5 (900)	3.3 (396)
Other than exterior illuminated signs	6.7 (804)	3.3 (396)
Removal or reclamation product:		
Screen reclamation	N/A	1.0 (120)
Ink removal	N/A	3.3 (390)
Haze removal	N/A	4.0 (480)

Record Keeping Requirements

Records must be maintained for at least 3 years. These records must report the total amount of ink, coating, or other material containing VOC used each month, the VOC content of the ink, coating or other material used, and the total monthly amount of isopropyl alcohol used in plastic card manufacturing installations. The records must be available to MDE upon request.

A person who uses a control device to achieve compliance with this regulation must have performed a stack test by July 15, 1995 demonstrating compliance, and include the VOC concentrations at the inlet and outlet of the control device. A test report must be submitted to MDE within 60 days of the stack test.

EPA Evaluation: The controls on VOC content of inks in screen printing operations in Maryland's regulation reduce VOC emissions from these operations. In addition, testing requirements on the control device will further reduce emissions from this source category. Finally, Maryland's recordkeeping and reporting provisions ensure that this regulation is enforceable. Therefore, this regulation, which will achieve significant VOC emission reductions from screen printing in Maryland, is fully approvable.

Control of VOC Emissions From Expandable Polystyrene Operations (COMAR 26.11.19.19)

General Provisions

This new regulation establishes standards for controlling VOC emissions from EPOs. This regulation establishes definitions for the following terms: ''expandable polystyrene operation,'' ''blowing agent,'' ''preexpander,'' ''recycled expanded polystyrene,'' and ''reduced VOC content beads.'' This regulation is applicable to anyone operating an EPO where the total actual VOC emissions from all EPOs on the premises is 20 or more pounds/day and 10 or more tons/year.

General and Testing Requirements

An EPO operator subject to this regulation may not emit VOC unless one of the following control measures is used:

a. 10% or more recycled expanded polystyrene is used in the incoming feed at all times, and reduced VOC content beads are used;
b. A VOC collection and destruction system is installed to control emissions from the preexpander by 85% or more overall;
c. Duct emissions from the preexpander into the fire box of fuel-burning equipment.

Spills of polystyrene beads must be collected and any spilled material will be put in a closed container to prevent and suppress emissions.

If a control device is used, a stack test must be performed to measure the VOC concentration at the inlet and outlet of the device. The initial test must be performed no later than 90 days after start-up, and additional stack tests shall be performed at least once every 3 years beginning 3 years after the initial test. A report shall be submitted to MDE within 60 days of each stack test.

Record Keeping Requirements

Monthly records of the total weight of beads used and the VOC content of the beads must be maintained for at least 3 years. An EPO operator not subject to this regulation must maintain records of the daily and annual weight of the beads and the VOC content of these beads, and make these records available to MDE upon request.

EPA Evaluation: The controls on different components of EPOs in Maryland's regulation reduce VOC emissions from these operations. In addition, testing requirements on the control device will further reduce emissions from this source category. Finally, Maryland's recordkeeping and reporting provisions ensure that this regulation is enforceable. Therefore, this regulation, which will achieve significant VOC emission reductions from EPOs in Maryland, is fully approvable.

Control of VOC Emissions From Commercial Bakery Ovens (COMAR 26.11.19.21)

General Provisions

This revision establishes new standards for bakery operations. The new regulation applies to a person who owns or operates a bakery oven which was built after 1942 and has a total potential to emit of at least 25 tons of VOC per year. This regulation applies to the largest oven at such a facility. This regulation establishes definitions for the following terms: ''commercial bakery oven,'' ''fermentation time,'' ''yeast percentage,'' and ''Yt value.''

General Requirements

After May 15, 1996, a person who owns or operates a bakery oven that exceeds the average production tonnage of finished bread, rolls or other yeast-raised products and Yt value listed below may not emit VOC unless the emissions from the oven are directly exhausted into a control device designed to reduce VOC emissions by 80% or more.

a. 10,000 tons with a Yt value greater than 11.0;
b. 15,000 tons with a Yt value between 8.1 and 11.0;
c. 22,500 tons with a Yt value less than 5.0 and 8.0;
d. 28,000 tons with a Yt value less than 5.0.

These control devices were required to have been installed by July 15, 1995.

Requirements for Innovative Control Methods

Innovative methods to control VOC emissions can be used on commercial bakery ovens by the owner or operator if the methods are to the satisfaction of MDE. Also, the owner or operator of the oven must submit to MDE a design of a conventional control system as well as an expeditious schedule to construct the system should the innovative control method fail to reach compliance.

Reporting and Testing Requirements

A person who is subject to this regulation and installs a control device must perform a stack test within 90 days after start-up of the control device, and submit reports to MDE within 60 days after completing the stack test.

EPA Evaluation: The requirement to use control devices as well as innovative control methods on commercial bakery ovens will result in significant VOC emission reductions. Furthermore, Maryland's recordkeeping, reporting, and testing provisions ensure that this regulation is enforceable. Therefore, this regulation is fully approvable.

EPA is approving these SIP revisions without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. However, in a separate document in this **Federal Register** publication, EPA is proposing to approve the SIP revisions should adverse or critical comments be filed. This action will be effective December 15, 1997 unless, by November 14, 1997, adverse or critical comments are received.

If EPA receives such comments, this action will be withdrawn before the effective date by publishing a subsequent document that will withdraw the final action. All public comments received will then be addressed in a subsequent final rule based on this action serving as a proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time. If no such comments are received, the public is advised that this action will be effective on December 15, 1997.

Final Action

EPA is approving revisions to the Maryland SIP to establish VOC RACT requirements for bakeries, expandable polystyrene operations, yeast manufacturing, and screen printing operations. These regulations achieve fully enforceable VOC emission reductions.

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 Office of Management and Budget (OMB) has exempted this regulatory action from E.O. 12866 review.

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 Clean Air Act 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, the Regional Administrator certifies 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 flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The Clean Air Act forbids EPA to base its actions concerning SIPs on such grounds. *Union Electric Co.* v. *U.S. EPA*, 427 U.S. 246, 255–66 (1976); 42 U.S.C. 7410(a)(2).

Under section 202 of the Unfunded Mandates Reform Act of 1995 (''Unfunded Mandates Act''), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate; or to private sector, of $100 million or more. Under section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the approval action proposed/promulgated does not include a Federal mandate that may result in estimated costs of $100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. This Federal action approves pre-existing requirements under State or local law, and imposes no new requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

Under 5 U.S.C. 801(a)(1)(A) as added by the Small Business Regulatory Enforcement Fairness Act of 1996, EPA submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives and the Comptroller General of the General Accounting Office prior to publication of the rule in today's **Federal Register**. This rule is not a ''major rule'' as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action, pertaining to revisions to the Maryland SIP establishing VOC control requirements for yeast manufacturing, screen printing, expandable polystyrene operations, and bakeries, must be filed in the United States Court of Appeals for the appropriate circuit by December 15, 1997. Filing a petition for reconsideration by the Regional 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, Hydrocarbons, Incorporation by reference, Ozone, Reporting and recordkeeping requirements.

Dated: September 26, 1997.

Marcia E. Mulkey,

Acting Regional Administrator, Region III.

40 CFR part 52 is amended as follows:

PART 52—[AMENDED]

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

Authority: 42 U.S.C. 7401–7671q.

Subpart V—Maryland

2. Section 52.1070 is amended by adding paragraph (c)(125) to read as follows:

§ 52.1070 Identification of plan.

* * * * *

(c) * * *

(125) Revisions to the Maryland State Implementation Plan submitted on July 12, 1995 by the Maryland Department of the Environment:

(i) Incorporation by reference.

(A) Four letters dated July 12, 1995 from the Maryland Department of the Environment transmitting additions to Maryland's State Implementation Plan, pertaining to volatile organic compound (VOC) regulations in Maryland's air quality regulations, COMAR 26.11.

(B) Regulations:

(*1*) Addition of new COMAR 26.11.19.17 Control of VOC Emissions from Yeast Manufacturing, adopted by the Secretary of the Environment on October 14, 1994 and effective on November 7, 1994, revisions adopted by the Secretary of the Environment on May 12, 1995, and effective on June 5, 1995, including the following:

(*i*) Addition of new COMAR 26.11.19.17.A Definitions, including definitions for the terms ''fermentation batch,'' ''first generation fermenter,'' ''stock fermenter,'' ''trade fermenter,'' and ''yeast manufacturing installation.''

(*ii*) Addition of new COMAR 26.11.19.17.B Applicability, Exemptions, and Compliance Date.

(*iii*) Addition of new COMAR 26.11.19.17.C Requirements for Yeast Manufacturing Installations.

(*iv*) Addition of new COMAR 26.11.19.17.D Determination of Compliance and Testing.

(*v*) Addition of new COMAR 26.11.19.17.E Reporting Requirements.

(*vi*) Amendment to COMAR 26.11.19.17.C(3), pertaining to limits for temperature and pH.

(*vii*) Amendment to COMAR 26.11.19.17.D(3), pertaining to stack test dates.

(*2*) Addition of new COMAR 26.11.19.18 Control of VOC Emissions from Screen Printing, adopted by the Secretary of the Environment on October 14, 1994 and effective on November 7, 1994, revisions adopted by the Secretary of the Environment on May 16, 1995 and effective on June 5, 1995, including the following:

(*i*) Addition of new COMAR 26.11.19.18.A, including definitions for the terms ''acid/etch resist ink,'' ''anoprint ink,'' ''back-up coating,'' ''clear coating,'' ''conductive ink,'' ''electroluminescent ink,'' ''exterior illuminated sign,'' ''haze removal,'' ''ink removal,'' ''maximum VOC content,'' ''plastic card manufacturing installation,'' ''plywood sign coating,'' ''screen printing,'' ''screen printing installation,'' ''screen reclamation,'' ''specialty inks.''

(*ii*) Addition of new COMAR 26.11.19.18.B Applicability.

(*iii*) Addition of new COMAR 26.11.19.18.C General Requirements for Screen Printing.

(*iv*) Addition of new COMAR 26.11.19.18.D General Requirements for Plywood Sign Coating.

(*v*) Addition of new COMAR 26.11.19.18.E General Requirements for Plastic Card Manufacturing Installations.

(*vi*) Addition of new COMAR 26.11.19.18.F Control of VOC Emissions from the Use of Specialty Inks.

(*vii*) Addition of new COMAR 26.11.19.18.G Control of VOC Emissions from Clear Coating Operations.

(*viii*) Addition of new COMAR 26.11.19.18.H Control of VOC Emissions from Ink and Haze Removal and Screen Reclamation.

(*ix*) Addition of new COMAR 26.11.19.18.I.

(*x*) Addition of new COMAR 26.11.19.18.A(17), definition for the term ''untreated sign paper.''

(*xi*) Addition of new COMAR 26.11.19.18.C(2), replacing previous § C(2).

(*xii*) Addition of new COMAR 26.11.19.18.C(3) Use of Control Devices.

(*xiii*) Addition of new COMAR 26.11.19.18.E(2)(b), replacing previous § E(2)(b).

(*xiv*) Addition of new COMAR 26.11.19.18.I Record Keeping, replacing the previous § I.

(*3*) Addition of new COMAR 26.11.19.19 Control of VOC Emissions from Expandable Polystyrene Operations, adopted by the Secretary of the Environment on June 9, 1995, and effective on July 3, 1995, including the following:

(*i*) Addition of new COMAR 26.11.19.19.A Definitions.

(*ii*) Addition of new COMAR 26.11.19.19.B Terms Defined, including definitions for the terms ''expandable polystyrene operation (EPO),'' ''blowing agent,'' ''preexpander,'' ''recycled expanded polystyrene,'' and ''reduced VOC content beads.''

(*iii*) Addition of new COMAR 26.11.19.19.C Applicability.

(*iv*) Addition of new COMAR 26.11.19.19.D General Requirements.

(*v*) Addition of new COMAR 26.11.19.19.E Testing Requirements.

(*vi*) Addition of new COMAR 26.11.19.19.F Record Keeping.

(*4*) Addition of new COMAR 26.11.19.21, Control of VOC Emissions from Commercial Bakery Ovens, adopted by the Secretary of the Environment on June 9, 1995, and effective on July 3, 1995.

(*i*) Addition of new COMAR 26.11.19.21.A Definitions.

(*ii*) Addition of new COMAR 26.11.19.21.B Terms Defined, including definitions for the terms ''commercial bakery oven,'' ''fermentation time,'' ''yeast percentage,'' and ''Yt value.''

(*iii*) Addition of new COMAR 26.11.19.21.C Applicability and Exemptions.

(*iv*) Addition of new COMAR 26.11.19.21.D General Requirements.

(*v*) Addition of new COMAR 26.11.19.21.E Use of Innovative Control Methods.

(*vi*) Addition of new COMAR 26.11.19.21.F Reporting and Testing Requirements.

(ii) Additional material.

(A) Remainder of July 12, 1995 Maryland State submittals pertaining to COMAR 26.11.19.21, .17, .18, and .19.

* * * * *

[FR Doc. 97–27260 Filed 10–14–97; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Public Health Service

42 CFR Part 51

RIN 0905–AD99

Substance Abuse and Mental Health Services Administration; Requirements Applicable to Protection and Advocacy of Individuals with Mental Illness; Final Rule

AGENCY: Center for Mental Health Services, Substance Abuse and Mental Health Services Administration, Department of Health and Human Services.

ACTION: Final rule.

SUMMARY: On December 14, 1994, the Department of Health and Human Services (Department or HHS) published a Notice of Proposed Rulemaking to comply with the requirements of section 116 of the Protection and Advocacy for Mentally III Individuals Act of 1986 (Act) (42 U.S.C. 10801 *et seq.*) which required that the Secretary promulgate regulations for the implementation of authorized activities of Protection and Advocacy (P&A) Systems to protect and advocate the rights of individuals with mental illness. The Department is issuing this final rule to implement Titles I and III of the Act.

These regulations will govern activities carried out by the P&A systems under the Act. The rule includes: definitions; basic