

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.

#### *F. Small Business Regulatory Enforcement Fairness Act of 1996*

Under 5 U.S.C. 801(a)(1)(A) 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).

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Hydrocarbons, Incorporation by reference, Lead, Nitrogen dioxide, Intergovernmental relations, Particulate matter, Ozone Sulfur oxides.

Dated: January 23, 1997.

A. Stanley Meiburg,  
Acting Regional Administrator.

Part 52 of chapter I, title 40, *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 RR—Tennessee**

2. Section 52.2220 is amended by adding paragraph (c)(148) to read as follows:

#### **§ 52.2220 Identification of plan.**

\* \* \* \* \*

(c) \* \* \*

(148) Revisions to the Hamilton County portion of the Tennessee SIP that approve the regulations for Hamilton County, the City of Chattanooga, and the municipalities of East Ridge, Red Bank, Soddy-Daisy, Signal Mountain, Lakesite, Walden, Collegedale, Lookout Mountain, and Ridgeside—submitted by the Tennessee Department of Environmental Protection on December 15, 1995.

(i) *Incorporation by reference.*

(A) Amendments to Sections 2, 3, 4, 6, 8, 12, and 16–19 of the regulation known as the “Hamilton County Air Pollution Control Regulation,” the “Signal Mountain Air Pollution Control Ordinance,” the “Lakesite Municipal

Code,” the “Walden Air Pollution Control Ordinance,” the “Lookout Mountain Air Pollution Control Ordinance,” and the “Ridgeside Air Pollution Control Ordinance,” submitted on December 15, 1995 and adopted by Hamilton County on September 6, 1995 and by the following municipalities: Signal Mountain, adopted on December 11, 1995; Lakesite, adopted on November 16, 1995; Walden, adopted on December 12, 1995; Lookout Mountain, adopted on November 14, 1995; and Ridgeside, adopted on April 16, 1996.

(B) Amendments to Sections 4–2, 4–3, 4–4, 4–6, 4–8, 4–12, 4–16, 4–17, 4–18, and 4–19 of the “Chattanooga Air Pollution Control Ordinance,” as submitted on December 15, 1995 and adopted on August 16, 1995.

(C) Amendments to Sections 8–702, 8–703, 8–704, 8–706, 8–708, 8–712, 8–716, 8–717, 8–718, and 8–719 of the “East Ridge City Code,” as submitted on December 15, 1995 and adopted on September 28, 1995.

(D) Amendments to Sections 8–302, 8–303, 8–304, 8–306, 8–308, 8–312, 8–316, 8–317, 8–318, and 8–319 of the “Red Bank Municipal Code,” as submitted on December 15, 1995 and adopted on November 7, 1995.

(E) Amendments to Sections 8–102, 8–103, 8–104, 8–106, 8–108, 8–112, 8–116, 8–117, 8–818, and 8–119 of the “Soddy-Daisy Municipal Code,” as submitted on December 15, 1995 and adopted on October 5, 1995.

(F) Amendments to Sections 8–502, 8–503, 8–504, 8–506, 8–508, 8–512, 8–516, 8–517, 8–518, and 8–519 of the “Collegedale Municipal Code,” as submitted on December 15, 1995 and adopted on October 2, 1995.

(ii) Other materials. None.

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BILLING CODE 6560–50–P

#### **40 CFR Part 52**

[TX–58–1–7256, FRL–5687–1]

#### **Approval and Promulgation of Air Quality Implementation Plans; Site-Specific State Implementation Plan (SIP) for the Aluminum Company of America (ALCOA) Rockdale, Texas Facility**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule; correcting amendment.

**SUMMARY:** This action corrects three citations made in a direct final rule published on Monday, September 23,

1996 at (61 FR 49685). The direct final rule approved the State of Texas' revision to the sulfur dioxide (SO<sub>2</sub>) SIP revision which became effective on November 22, 1996.

**EFFECTIVE DATE:** February 18, 1997.

**FOR FURTHER INFORMATION CONTACT:** Petra Sanchez, (214) 553–5713.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On Monday, September 23, 1996, EPA published a direct final rule (61 FR 49685) approving a revision submitted by Texas pertaining to the ALCOA SIP for sulfur dioxide SO<sub>2</sub> emissions in Rockdale, Texas.

This correction makes a minor clarification to a citation made on page 49685. In the section entitled, “Good Engineering Practice and Stack Height Increase at Sandow Three,” a completion date for the stack height increase cited June of 1995. June of 1995 was the date Texas required the construction of the new stack height increase to be completed. The new stack was put into service on April 23, 1995.

The second correction to the document pertains to the incorporation by reference to the State's adoption of rule revisions. On page 49688 of the approval notice under Subchapter 52.2270(c)(101)(i)(B), this section should read, “Revisions to 30 TAC Chapter 112, Section 112.8 ‘Allowable Emission Rates From Solid Fossil Fuel-Fired Steam Generators,’ Subsections 112.8(a) and 112.8(b) as adopted by the Texas Air Control Board on September 18, 1992, and effective on October 23, 1992.”

Last, the SIP submittal by the State cited on page 49688 under Subchapter 52.2270(c)(101)(ii)(A) stands corrected to read, “‘Revisions to the State Implementation Plan (SIP) Concerning Sulfur Dioxide Milam County,’ dated July 26, 1995, including Appendices G–2–1 through G–2–6.”

##### **Need for Correction**

As published, the direct final rule contains errors which may prove to be misleading and are in need of clarification.

##### **Administrative Requirements**

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a “significant regulatory action” and is therefore not subject to review by the Office of Management and Budget. In addition, this action does not impose any enforceable duty or contain any unfunded mandate as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4), or require prior

consultation with State officials as specified by Executive Order 12875 (58 FR 58093, October 28, 1993), or involve special consideration of environmental justice related issues as required by Executive Order 12898 (59 FR 7629, February 16, 1994).

Because this action is not subject to notice-and-comment requirements under the Administrative Procedure Act or any other statute, it is not subject to the provisions of the Regulatory Flexibility Act [5 U.S.C. 601 *et seq.*].

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Reporting and recordkeeping requirements, Sulfur dioxide.

Dated: January 21, 1997.

Jerry Clifford,

*Acting Regional Administrator.*

Part 52, Chapter I, title 40, of the Code of Federal Regulations is corrected 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 SS—Texas

2. Section 52.2270 is amended by correcting paragraphs (c)(101)(i)(B) and (c)(101)(ii)(A) to read as follows:

##### § 52.2270 Identification of plan. [Corrected]

\* \* \* \* \*

(c) \* \* \*

(101) \* \* \*

(i) \* \* \*

(B) Revisions to 30 TAC Chapter 112, Section 112.8 'Allowable Emission Rates from Solid Fossil Fuel-Fired Steam Generators,' Subsections 112.8(a) and 112.8(b) as adopted by the Texas Air Control Board on September 18, 1992, and effective on October 23, 1992.

(ii) \* \* \*

(A) The State submittal entitled, "Revisions to the State Implementation Plan Concerning Sulfur Dioxide in Milam County," dated July 26, 1995, including Appendices G–2–1 through G–2–6.

\* \* \* \* \*

[FR Doc. 97–3868 Filed 2–14–97; 8:45 am]

BILLING CODE 6560–50–P

#### 40 CFR Part 80

[FRL–5689–2]

#### Regulations of Fuels and Fuel Additives: Extension of the Reformulated Gasoline Program to the Phoenix, Arizona Moderate Ozone Nonattainment Area

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

**SUMMARY:** Under section 211(k)(6) of the Clean Air Act, as amended (Act), the Administrator of EPA shall require the sale of reformulated gasoline in an ozone nonattainment area classified as Marginal, Moderate, Serious, or Severe upon the application of the governor of the state in which the nonattainment area is located. This action extends the prohibition set forth in section 211(k)(5) against the sale of conventional (*i.e.*, non-reformulated) gasoline to the Phoenix, Arizona moderate ozone nonattainment area. The Agency is revising the regulations such that the implementation date of the prohibition described herein shall take effect on the effective date of this rule or June 1, 1997, whichever is later, for all persons other than retailers and wholesale purchaser-consumers (*i.e.*, refiners, importers, and distributors). For retailers and wholesale purchaser-consumers, the implementation date of the prohibition described herein shall take effect 30 days after the effective date of this rule or July 1, 1997, whichever is later. As of the implementation date for retailers and wholesale purchaser-consumers, the Phoenix ozone nonattainment area will be a covered area for all purposes in the federal RFG program.

**DATES:** This action will be effective on April 4, 1997 unless notice is received by March 20, 1997 from someone who wishes to submit adverse or critical comments or requests an opportunity for a public hearing. If such comments or a request for a public hearing are received by the Agency, EPA will withdraw this direct final rule and a timely notice will be published in the Federal Register to indicate the withdrawal.

**ADDRESSES:** Comments should be submitted (in duplicate, if possible) to Air Docket Section, Mail Code 6102, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460. A copy should also be sent to Janice Raburn at U.S. Environmental Protection Agency, Office of Air and Radiation, 401 M Street, SW (6406J), Washington, DC 20460. A copy should

also be sent to EPA Region IX, 75 Hawthorne Street, AIR–2, 17th Floor, San Francisco, CA 94105.

Materials relevant to this document have been placed in Docket A–97–02. The docket is located at the Air Docket Section, Mail Code 6102, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, in room M–1500 Waterside Mall. Documents may be inspected from 8:00 a.m. to 5:30 p.m. A reasonable fee may be charged for copying docket material. An identical docket is also located in EPA's Region IX office in Docket A–AZ–97. The docket is located at 75 Hawthorne Street, AIR–2, 17th Floor, San Francisco, California 94105. Documents may be inspected from 9:00 a.m. to noon and from 1:00–4:00 p.m. A reasonable fee may be charged for copying docket material.

**FOR FURTHER INFORMATION CONTACT:** Janice Raburn or Paul Argyropoulos at U.S. Environmental Protection Agency Office of Air and Radiation, 401 M Street, SW (6406J), Washington, DC 20460, (202) 233–9000.

**SUPPLEMENTARY INFORMATION:** A copy of this action is available on the OAQPS Technology Transfer Network Bulletin Board System (TTNBBS) and on the Office of Mobile Sources' World Wide Web site, <http://www.epa.gov/OMSWWW>. The TTNBBS can be accessed with a dial-in phone line and a high-speed modem (PH# 919–541–5742). The parity of your modem should be set to none, the data bits to 8, and the stop bits to 1. Either a 1200, 2400, or 9600 baud modem should be used. When first signing on, the user will be required to answer some basic informational questions for registration purposes. After completing the registration process, proceed through the following series of menus:

(M) OMS.

(K) Rulemaking and Reporting.

(3) Fuels.

(9) Reformulated gasoline.

A list of ZIP files will be shown, all of which are related to the reformulated gasoline rulemaking process. Today's action will be in the form of a ZIP file and can be identified by the following title: OPTOUT.ZIP. To download this file, type the instructions below and transfer according to the appropriate software on your computer:

<D>ownload, <P>rotocol, <E>xamine, <N>ew, <L>ist, or <H>elp Selection or <CR> to exit: D filename.zip.

You will be given a list of transfer protocols from which you must choose one that matches with the terminal software on your own computer. The