

40 CFR Part 60

Delegation of authority

Correction

In title 40 of the Code of Federal Regulations, part 60, revised as of October 1, 1995, page 432 in the first column, § 60.699 is corrected by adding the following after the colon in paragraph (b):

§ 60.699 Delegation of authority.

- (a) * * *
- (b) * * *

§ 60.694 Permission to use alternative means of emission limitations.

BILLING CODE 1505-01-D

40 CFR Part 63

[AD-FRL-5517-8]

National Emission Standards for Hazardous Air Pollutants for Source Categories: Perchloroethylene Dry Cleaning Facilities; Notice of Availability of Guidance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability of guidance.

SUMMARY: This action announces the availability of guidance for the implementation of the national emission standards for hazardous air pollutants (NESHAP) for perchloroethylene (PCE) dry cleaning facilities promulgated in the Federal Register on September 22, 1993. The NESHAP was promulgated to minimize emissions of PCE, which has been listed by EPA as a hazardous air pollutant (HAP).

ADDRESSES: Docket. Docket Number A-95-16, which contains the guidance announced in this notice as Item Number V-B-1, is available for public inspection and copying between the hours of 8:00 a.m. and 5:30 p.m., Monday through Friday (except for government holidays) at The Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460. Copies of documents may also be copied from The Air and Radiation Docket and Information Center by calling (202) 260-7548. A reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: Mr. George Smith at (919) 541-1549, Emission Standards Division (MD-13), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711.

SUPPLEMENTARY INFORMATION: National emission standards for hazardous air pollutants (NESHAP) for perchloroethylene (PCE) dry cleaning facilities were promulgated on September 22, 1993 (58 FR 49354), and amended on December 20, 1993 (58 FR 66287), as 40 CFR Part 63, subpart M. On December 20, 1993, the International Fabricare Institute (IFI), a trade association representing commercial and industrial dry cleaners nationwide, submitted a statement of issues to the U.S. Court of Appeals for the District of Columbia Circuit that challenged the NESHAP. The Agency subsequently entered into a settlement agreement with IFI to resolve IFI's issues. The settlement agreement between the litigants calls for EPA to issue written policy guidance concerning "episodic" exceedances of annual PCE consumption levels set forth in the NESHAP. The Agency has issued this guidance entitled, "Settlement Agreement on Litigation of National Emission Standards for Hazardous Air Pollutants for Perchloroethylene Dry Cleaning Facilities," which is available in the docket and on EPA's Technology Transfer Network (TTN).

Anyone with a computer and a modem can download the guidance from the Clean Air Act Amendments bulletin board (under "Recently Signed Rules") of the TTN by calling (919) 541-5742. For further information about how to access the board, call (919) 541-5384.

Dated: May 20, 1996.

Lydia Wegman,

Acting Director, Office of Air Quality Planning and Standards.

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BILLING CODE 6560-50-P

40 CFR Part 82

[FRL-5518-1]

Protection of Stratospheric Ozone

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of extension of stay.

SUMMARY: This action temporarily extends a stay of the effectiveness of a certain reporting requirement in the petition process for the import of used class I controlled substances, but only extends the stay to the extent necessary to complete reconsideration (including any appropriate regulatory action) of the requirement. In the Federal Register published January 31, 1996, EPA announced, pursuant to Clean Air Act section 307(d)(7)(B), a three-month administrative stay and reconsideration

of this reporting requirement (61 FR 3316). The provision at issue is 40 CFR 82.13(g)(2)(viii), promulgated under sections 604 and 606 of the Clean Air Act, which requires the importer of a used class I controlled substance to certify that the purchaser of the controlled substance is liable for the tax.

In the same Federal Register published January 31, 1996, pursuant to Clean Air Act section 301(a)(1), EPA proposed an extension of the stay beyond the three-month administrative stay, but only to the extent necessary to complete reconsideration (including any appropriate regulatory action) of the rule in question (61 FR 3361). This action finalizes the proposed extension. Sufficient concerns have been raised regarding this provision that EPA believes it is appropriate not only to reconsider the provision, but also to stay the requirement during the period of reconsideration, which will extend beyond the three-month period provided under the administrative stay.

EFFECTIVE DATE: July 11, 1996.

FOR FURTHER INFORMATION CONTACT: Tom Land, Stratospheric Protection Division, Office of Air and Radiation, U.S. Environmental Protection Agency (6205-J), 401 M Street, SW., Washington, DC 20460, (202) 233-9185. The Stratospheric Ozone Information Hotline at 1-800-296-1996 can also be contacted for further information.

SUPPLEMENTARY INFORMATION:

Regulated Entities

Entities potentially regulated by this action are those that wish to import used class I controlled ozone-depleting substances. Class I controlled ozone-depleting substances are listed in Appendix A of the Federal Register published May 10, 1995 (60 FR 4970). Regulated categories and entities include:

Category	Examples of regulated entities
Industry	Importers of used class I ozone-depleting substances.

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be regulated by this action. This table lists the types of entities that EPA is now aware could potentially be regulated by this action. Other types of entities not listed in the table could also be regulated. To determine whether your company is regulated by this action, you should carefully examine the applicability criteria in § 82.13(g)(2) of the rule and/or applicability criteria in § 82.13(g)(2) of title 40 of the Code of