

US EPA ARCHIVE DOCUMENT

Dated: December 1, 1982.
 Anne M. Gorsuch,
 Administrator.

PART 81—DESIGNATION OF AREAS FOR AIR QUALITY PLANNING PURPOSES

1. Title 40, Part 81, Subpart C, of the Code of Federal Regulations is amended as follows:

§ 81.326 [Amended]

In § 81.326 in the table Missouri—TSP under Northern AQCR (137), remove the entire entry for Columbia:

* * * * *
 Columbia city limits . . . 'X . . .
 * * * * *

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

2. In § 52.1320, paragraph (c)(37) is revised to read as follows:

§ 52.1320 Identification of plan.

* * * * *
 (c) * * *
 (37) On April 15, 1982, the State of Missouri submitted a new Rule 10 CSR 10-6.060, Permits Required, and amendments to Rule 10 CSR 10-6.020, Definitions, involving the review and permitting of new sources of air pollution. Included in the plan are provisions relating to the attainment area (PSD) new source review. No action is taken on the rules insofar as they pertain to the New Madrid TSP nonattainment area. Also included in the plan are provisions relating to new source review in the other nonattainment areas in the state.

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**40 CFR Part 61
 [A-3-FRL 2267-3]**

National Emission Standards for Hazardous Air Pollutants; Delegation of Authority to Allegheny County, Pennsylvania

AGENCY: Environmental Protection Agency.
ACTION: Final rulemaking.

SUMMARY: The Allegheny County Health Department has requested the delegation of authority to implement and enforce the National Emission Standards for Hazardous Air Pollutants (NESHAP) program for asbestos and mercury only. Section 112(d)(1) of the Clean Air Act requires the Administrator to delegate this authority

to any agency which submits an adequate procedure. Therefore, on September 27, 1982, authority for the NESHAP program for asbestos and mercury in Allegheny County was delegated. This rulemaking provides notice of this action and amends 40 CFR 61.04, Address, to reflect this delegation. This Section is also being amended to reflect a new address for Philadelphia's Air Management Services, which has already been delegated NESHAP authority.

EFFECTIVE DATE: December 20, 1982.

FOR FURTHER INFORMATION CONTACT: Gregory Ham, (215) 597-2745, EPA Region III, Curtis Building, 6th and Walnut Streets, Philadelphia, PA 19106.

SUPPLEMENTARY INFORMATION: National Emission Standards for Hazardous Air Pollutants (NESHAP) have been promulgated by the Administrator under 40 CFR, Pa. 61 for four pollutants: Beryllium, Asbestos, Mercury, and Vinyl Chloride. Section 112(d)(1) directs the Administrator to delegate authority to implement and enforce the standards to any agency which submits an adequate procedure. Nevertheless, the Administrator retains concurrent authority to implement and enforce the standards following delegation of authority to a State or local agency.

On September 24, 1982, the Director of the Allegheny County Health Department (ACHD), and the Allegheny County Commissions jointly requested the delegation of authority for the NESHAP program for asbestos and mercury only. ACHD has determined that standards for Beryllium and Vinyl Chloride would not currently apply to any sources in the County, and therefore did not request delegation at this time.

The Director of the Air and Waste Management Division has determined that the ACHD procedure for implementing and enforcing the standards is adequate. Pursuant to authority delegated to him by the Administrator, the Air and Waste Management Division Director notified the Director of the Health Department on September 27, 1982 that authority to implement and enforce the standards for asbestos and mercury was delegated to the Allegheny County Health Department. The letter approved the delegation and outlined the conditions of it. A ten day response period was provided during which the Director of the Health Department or any other representative could present objections to the conditions of the delegation. No responses were received during this period. Therefore, this delegation is final.

Copies of the request for delegation of authority are available for public inspection at the Environmental Protection Agency, Region III, Curtis Building, 6th & Walnut Streets, Philadelphia, Pennsylvania, 19106.

Effective immediately, all reports required pursuant to the emission standards for hazardous air pollutants (asbestos and mercury only) should be submitted to the Allegheny County Health Department, Bureau of Air Pollution Control, 301 Thirty-ninth Street, Pittsburgh, Pa., 15201, with copies to the Director, Air and Waste Management Division, at the EPA address above. The amended § 61.04, Address, which adds the address of the Bureau (to which all reports, requests, applications, submittals, and communications to the Administrator pursuant to this part must be addressed), is set forth below.

In addition, § 61.04 is being amended to reflect a new address for Philadelphia's Air Management Services (AMS). AMS has moved to a new address since delegation of authority for NESHAP occurred.

The Administrator finds good cause for foregoing prior public notice and for making this rulemaking effective immediately because it is an administrative change and not one of substantive content. No additional burdens are imposed on the parties affected. The delegation which is reflected by the Administrative amendment was effective on September 27, 1982, and it serves no purpose to delay this change of address in the Code of Federal Regulations.

(Sec. 112 of the Clean Air Act, as amended, 42 U.S.C. 7412.)

The Office of Management and Budget has exempted this rulemaking from requirements of Executive Order 12291.

List of Subjects in 40 CFR Part 61

Air pollution control, Asbestos, Beryllium, Hazardous materials, Mercury, Vinyl chloride.

Dated: November 23, 1982.
 Stanley L. Laskowski,
 Acting Regional Administrator.

PART 61—[AMENDED]

Part 61 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

1. In § 61.04 paragraph (b) (NN) is revised to read as follows:

§ 61.04 Address
 * * * * *
 (b) * * *

(NN) (i) City of Philadelphia: Philadelphia Department of Public Health, Air Management Services, 500 S. Broad Street, Philadelphia, Pennsylvania 19146.

(ii) Commonwealth of Pennsylvania: Department of Environmental Resources, Post Office Box 2063, Harrisburg, Pennsylvania, 17120

(iii) Allegheny County: Allegheny County Health Department, Bureau of Air Pollution Control, 301 Thirty-ninth Street, Pittsburgh, Pennsylvania, 15201.

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FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

[Docket No. 6461]

National Flood Insurance Program; Change in Format of Newspaper Notices and Final Rules

AGENCY: Federal Emergency Management Agency.

ACTION: Rule related notice.

SUMMARY: The Federal Emergency Management Agency (FEMA) gives notice that the format and content of information in newspaper notices and final rules of base flood elevation determinations is changed.

This action is precipitated by the basic informational context, the duplicative nature, and the ever-increasing cost of these publications for the National Flood Insurance Program (NFIP). Proposed rules for base flood elevation determinations remain unchanged. These publications are made under 44 CFR Part 67.

EFFECTIVE DATE: On December 20, 1982, and there after, all part 67 newspaper notices and final rules sent for publication will be in the changed format.

FOR FURTHER INFORMATION CONTACT: Mr. Richard E. Sanderson, Chief, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472, (202) 287-0270.

SUPPLEMENTARY INFORMATION: On August 4, 1982, at 47 FR 33721-33722, FEMA gave notice of its intent to reduce the size of or eliminate identified notices and regulations of the National Flood Insurance Program under 44 CFR Parts 64, 65, 67 and 70. A proposed rule for the elimination of Federal Register publications under 44 CFR Parts 64, 65 and 70 will be published separately with a discussion of comments received

during the comment period. No comments were received on the format and content changes intended for Part 67 newspaper notices and final rules. The format and content of Part 67 publications in local newspaper and the Federal Register do not require a proposed rule to effect changes. After allowing a suitable period for comments and having received none, FEMA is providing this notice that the change in format and contents of Part 67 newspaper notices and final rules is in effect.

Under Part 67 a notice of proposed flood elevation determination for a community is published in the community's local newspaper. In the past, this notice has contained a "table of elevations" which lists the proposed base flood elevation at selected locations along flood sources. However, this table of elevations can only give a very restricted view of the flood hazard determination. The clearest view is given by the preliminary Flood Insurance Study and Flood Insurance Rate Map which are provided to the community for citizen review and inspection prior to the newspaper publications. In order to encourage more meaningful review of these materials, the table of elevations will be deleted and in its place FEMA will list the community's flood sources studied in detail, the range of the base flood elevations within the community for each flood source and will provide the address in the community where the study and maps can be reviewed. The table of elevations will continue to be published for each community in the Federal Register publication of the proposed flood elevation determinations and copies of it will be provided to the community and State.

The table of elevations will also be deleted from the format of the final flood elevation determination rules published in the Federal Register under Part 67 when no appeal of the proposed base flood elevations has been made. The final rule will list those communities whose proposed determinations are being finalized and will list the address in each community where proof copies of the Flood Insurance Study and Flood Insurance Rate Map are available for review. Final rules under Part 67 will be published in the Federal Register at least monthly showing all communities whose elevations have been finalized since the previous publication. Communities' final rules will contain the table of elevations when an appeal under Part 67 of the proposed determinations has been filed.

The formats which will be used for the newspaper notice and final rules under Part 67 are as follows:

Newspaper Notice

National Flood Insurance Program; Proposed Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations shown in your community's preliminary Flood Insurance Study and Flood Insurance Rate Map. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the community.

ADDRESSES: Study and maps showing the proposed base flood elevations and their delineation are available for review at

Send comments to

FOR FURTHER INFORMATION CONTACT: Dr. Brian Mrazik, Federal Emergency Management Agency, National Flood Insurance Program, (202) 287-027, Washington, D.C. 20472.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency gives notice of the proposed determinations of base (100-year) flood elevations, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 44 CFR 67.4(a).

These elevations, together with the flood plain management measures required by § 60.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that the proposed flood elevation determinations, if promulgated, will not have a significant economic impact on a substantial number of small entities. A flood