

US EPA ARCHIVE DOCUMENT

(D) Upon receipt of the NCUA response, the DoD Component shall take appropriate action to implement that response, with information copies to the Director for Banking, International Finance and Professional Development, OASD(C).

(ii) Branches and facilities authorized by NCUA will have a prescribed territorial franchise. However, any credit union having an approved charter which authorizes it to serve its members while stationed overseas may continue to do so by direct mail, including the use of available advertising media for commercial solicitation.

(2) *New Services.* Should a credit union propose any new service, e.g., share drafts, which is an addition to or departure from the original charter, the proposal shall be coordinated with the appropriate unified command or joint command and U.S. chief of mission or U.S. embassy to make certain that it is not in conflict with Status of Forces Agreements or local law. A statement citing such coordination shall be included when the proposal is forwarded through departmental channels for review and approval by the DoD Component and the NCUA.

(3) *Implementation.* Overseas credit union branch offices and facilities shall conduct business in accordance with this Part implementing regulations of the DoD Components.

(i) The recommendations and direction of the NCUA through its rules, regulations, procedural forms, reports and manuals (including the Board of Directors Manual for Federal Credit Unions) shall apply directly to all overseas credit union branch offices and facilities.

(ii) Funds shall be deposited and/or invested in accordance with the authority applicable to Federal credit unions. Overseas credit union branch offices and facilities shall deposit funds in accordance with instructions issued by the NCUA giving full consideration to use of the services of military banking facilities whenever available.

(iii) Operation of overseas credit union branch offices and facilities will be reviewed by the NCUA during examination of the main credit union or as NCUA determines necessary.

(iv) When credit unions deal in foreign currency, it shall be purchased at the accommodation rate when used for resale to individuals and purchased at the bulk rate when used for vendor or payroll payments, as these rates have been established by the local military banking facility.

(v) When Military Payment Certificates are prescribed for the area in which the overseas credit union is

operating, they shall be used in accordance with DoD Instruction 7360.5¹, "Military Payment Certificate System," June 14, 1977.

(vi) No credit union loans may be made for the purpose of purchasing real property or purchasing or erecting any type of residence in any foreign country.

(4) *Logistical Support for Overseas Credit Unions* will be in accordance with DoD Directive 4000.6¹. This will include free space, when available. Any renovations or alterations required by the credit union will be at the cost of the credit union. Janitorial services, fixtures and maintenance will be furnished at no cost to the credit union; however, costs for other services such as utilities will be reimbursed to the appropriate DoD Component.

(5) *Military Postal Service for Overseas Credit Unions* may be authorized in accordance with DoD Directive 4525.5¹, "Postal Operations and Related Services," March 20, 1978.

(6) *Autodin and Autovon* may be provided on a case-by-case reimbursable basis.

(7) *Travel of Credit Union Officials Overseas* shall be as set forth in DoD Directive 4000.6¹. Invitational travel orders which authorize travel at no expense to the U.S. Government may be issued by the local commander for official on-site visits of Defense credit union officials.

December 3, 1979

H. E. Lofdahl,

Director, Correspondence and Directives,
Washington Headquarters Services,
Department of Defense.

[FR Doc. 79-37800 Filed 12-6-79; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 60

[FRL 1353-2]

Standards of Performance for New Stationary Sources; Delegation of Authority to State of Delaware

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: This document amends 40 CFR 60.4 to reflect delegation to the State of Delaware of authority to implement and enforce certain Standards of Performance for New Stationary Sources.

¹ Copies may be obtained, if needed, from the U.S. Naval Publications and Forms Center, 5801 Tabor Avenue, Philadelphia, PA, 19120. Attention: Code 301.

EFFECTIVE DATE: December 7, 1979.

FOR FURTHER INFORMATION CONTACT: Joseph Arena, Environmental Scientist, Air Enforcement Branch, Environmental Protection Agency, Region III, 6th and Walnut Streets, Philadelphia, Pennsylvania 19106. Telephone (215) 597-4561.

SUPPLEMENTARY INFORMATION:

I. Background

On October 5, 1978, the State of Delaware requested delegation of authority to implement and enforce certain Standards of Performance for New Stationary Sources for Sulfuric Acid Plants. The request was reviewed and on October 9, 1979 a letter was sent to John E. Wilson III, Acting Secretary, Department of Natural Resources and Environmental Control, approving the delegation and outlining its conditions. The approval letter specified that if Acting Secretary Wilson or any other representatives had any objections to the conditions of delegation they were to respond within ten (10) days after receipt of the letter. As of this date, no objections have been received.

II. Regulations Affected by this Document

Pursuant to the delegation of authority for certain Standards of Performance for New Stationary Sources to the State of Delaware, EPA is today amending 40 CFR 60.4, *Address*, to reflect this delegation. A Notice announcing this delegation is published today in the Notices Section of this Federal Register. The amended § 60.4, which adds the address of the Delaware Department of Natural Resources and Environmental Control, to which all reports, requests, applications, submittals, and communications to the Administrator pursuant to this part must also be addressed, is set forth below.

III. General

The Administrator finds good cause for foregoing prior public notice and for making this rulemaking effective immediately in that it is an administrative change and not one of substantive content. No additional substantive burdens are imposed on the parties affected. The delegation which is reflected by this administrative amendment was effective on October 9, 1979, and it serves no purpose to delay the technical change of this address to the Code of Federal Regulations.

This rulemaking is effective immediately, and is issued under the authority of Section 111 of the Clean Air Act, as amended, 42 U.S.C. 7411.

Dated: December 3, 1979.

Douglas M. Costle,
Administrator.

Part 60 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

1. In § 60.4, paragraph (b) is amended by revising subparagraph (I) to read as follows:

§ 60.4 Address.

(b) * * *

(A)-(H) * * *

(I) State of Delaware (for fossil fuel-fired steam generators; incinerators; nitric acid plants; asphalt concrete plants; storage vessels for petroleum liquids; sulfuric acid plants; and sewage treatment plants only.

Delaware Department of Natural Resources and Environmental Control, Edward Tatnall Building, Dover, Delaware 19901.

[FR Doc. 79-37655 Filed 12-6-79; 8:45 am]

BILLING CODE 6560-01-M

40 CFR Part 81

[FRL 1357-1]

Air Quality Control Regions, Criteria, and Control Techniques; Section 107 Attainment Status Designations; New York

AGENCY: Environmental Protection Agency.

ACTION: Rule.

SUMMARY: The purpose of this notice is to revise the attainment status designations for portions of the State of New York with regard to the national ambient air quality standard for ozone. This action, as proposed in an August 3, 1979 Federal Register notice (44 FR 45650), affects certain areas of the State originally designated as "nonattainment." The table following this rulemaking indicates the attainment status designation for each area in New York State. Publication of these designations relates to the provisions of Section 107(d) of the Clean Air Act, as amended.

DATES: Effective December 7, 1979.

FOR FURTHER INFORMATION CONTACT: William S. Baker, Chief, Air Programs Branch, U.S. Environmental Protection Agency, Region II Office, 28 Federal Plaza, New York, New York 10007, (212) 264-2517.

SUPPLEMENTARY INFORMATION:

Background

Section 107(d) of the Clean Air Act, as amended, directed each state to submit to the Environmental Protection Agency (EPA) for every area within the state a

list of the attainment status designations with respect to each of the national ambient air quality standards. EPA received such information and promulgated the attainment status designations in a March 3, 1978 Federal Register (43 FR 8982). Subsequently, modifications to these designations were promulgated for the states administered by the Region II Office of EPA (New York, New Jersey, Puerto Rico and the Virgin Islands) in a January 25, 1979 Federal Register (44 FR 5119). In both of these Federal Register notices, all areas within the State of New York were designated as not attaining the national ambient air quality standard for ozone. These designations were based on ambient air monitoring data and other analyses indicating statewide violation of the ozone standard.

In a February 8, 1979 Federal Register notice (44 FR 8202), EPA announced revision of the ozone standard from 0.08 ppm to 0.12 ppm. Upon reviewing its air quality data base in relation to the revised ozone standard, New York State determined that several portions of the State had ambient air quality levels better than the revised standard and that other areas could not be classified with confidence as either attaining or not attaining the standard. Consequently, on May 2, 1979 the New York State Department of Environmental Conservation formally requested that EPA redesignate several areas to reflect this information.

EPA reviewed the State's request and in an August 3, 1979 Federal Register notice (44 FR 45656) proposed to approve the following redesignations:

Better Than National Standards

Southern Tier East Air Quality Control Region (the entire area)
Central Air Quality Control Region (the Counties of Herkimer, Lewis, Jefferson, and Cortland)
Hudson Valley Air Quality Control Region (the Counties of Fulton, Montgomery, Schoharie, and the northern two thirds of the County of Saratoga)
Northern Air Quality Control Region (the entire area except the County of Washington)

Cannot Be Classified

Southern Tier West Air Quality Control Region (the entire area)
Central Air Quality Control Region (the Counties of Oswego, Madison, and Oneida)
Northern Air Quality Control Region (the County of Washington)

EPA's Federal Register notice also invited the public to comment on the State's proposed redesignations. In response, on September 4, 1979 the New Jersey Department of Environmental Protection submitted comments to EPA. No other comments were received.

New Jersey's submittal contained an analysis indicating ozone standard violations in the areas EPA proposed to redesignate from "nonattainment" to "attainment" or "unclassifiable." On this basis New Jersey maintains that the proposed redesignations should not be promulgated.

EPA disagrees with this position. The methodology used by New Jersey in its analysis is based on the assumption that a limited network of existing ozone monitors can be used in combination with meteorological data to estimate ambient ozone levels over a broad geographical area in which no ozone monitors exist. However, this method does not consider that there may be variations in the emission density in the various area. EPA has determined that, although the methodology used by New Jersey may be useful as a preliminary screening technique to determine areas of potential ozone standard contravention, it is not conclusive and cannot be used as a basis for the determination of attainment status designations.

EPA's decision to redesignate areas as "Better Than National Standards" is based on an analysis of measured air quality data over a period of twelve calendar quarters which shows that ambient levels in the affected areas are better than the revised ozone standard. The redesignations to "Cannot Be Classified" are based on the absence of concrete evidence of ozone standard violations. For the Southern Tier West Air Quality Control Region (AQCR) and the County of Washington in the Northern AQCR, monitoring results show attainment of the standard; however, it is believed that these readings are unduly influenced (depressed) by the presence of nearby sources of nitrogen oxide. Inasmuch as all the areas proposed to be redesignated as "Cannot Be Classified" are located nearby and downwind of areas designated as "Does Not Meet Primary Standards" and do not contain any major urban centers, further evaluation of their attainment status is believed warranted.

This criteria, on which today's redesignations are based, is consistent with EPA policy which states that designations of "Does Not Meet Primary Standards" shall be determined on the basis of measured air quality data which indicates contravention of the standard. In the absence of such data, a designation of "Cannot Be Classified" or "Better Than National Standards" is appropriate for a nonurban area. The redesignations promulgated in this notice are based in this policy. The