

US EPA ARCHIVE DOCUMENT

effective date of these Regulations, the mortgagor shall repay to the Secretary any assistance received under this part in the amount provided in paragraph (b) of this section when the mortgagor:

- (1) Disposes of the property to a homeowner not qualified to receive assistance payments, or
- (2) Has rented the property for more than one year, or
- (3) Requests a release of the Secretary's lien on the property, or
- (4) Ceases to make payments on the mortgage for a period of 90 continuous days which period may be extended if the Secretary determines that:

(i) The mortgagor will be able to resume full payments on the insured mortgage within a reasonable period of time, or

(ii) The mortgagor will participate in the Section 230 program.

(b) The amount of assistance to be repaid by the mortgagor shall be the lesser of the amount of assistance actually received under this part (other than handling charges) or 50 percent of the net appreciation of the property.

(c) The term "net appreciation of the property" as used in this section shall mean any increase in the value of the property over the purchase price, as of the time the mortgage is accepted for insurance less the reasonable costs of sale and the reasonable costs of improvements made to the property.

(d) The mortgagor shall execute such documents as the Secretary shall require to assure repayment to the Secretary of the amounts provided in this paragraph.

Authority: The provisions of this Part 235 issued under Section 211 of the National Housing Act (12 U.S.C. 1709, 1715).

Issued at Washington, D.C., April 9, 1981.
George O. Hipps, Jr.,

*Acting Assistant Secretary for Housing—
 Federal Housing Commissioner.*

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 60

[A-3-FRL 1823-1]

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

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: This document amends EPA's regulations (40 CFR 60.4) to reflect

delegation of authority to the State of Delaware to implement and enforce certain standards of performance for new stationary sources. This delegation is based on a request from the State of Delaware that it be given this enforcement authority.

EFFECTIVE DATE: May 27, 1981.

FOR FURTHER INFORMATION CONTACT: Ben Mykijewycz, Environmental Engineer, Air Enforcement Branch, Environmental Protection Agency, Region III, 6th and Walnut Streets, Philadelphia, Pennsylvania 19106, Telephone (215) 597-9387.

SUPPLEMENTARY INFORMATION:

I. Background

On December 23, 1980, the State of Delaware requested delegation of authority to implement and enforce certain standards of performance for new stationary sources for electric utility steam generating units for which construction is commenced after September 18, 1978. The request was reviewed and on April 27, 1981 a letter was sent to John E. Wilson III, Secretary, Department of Natural Resources and Environmental Control, approving the delegation and outlining its conditions. The approval letter specified that if 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 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 in today's *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, as set forth below.

III. General

The Administrator finds good cause for forgoing 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 May 11, 1981, 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.

Under Executive Order 12291, EPA must judge whether a regulation is "Major" and therefore subject to the requirement of a Regulatory Impact Analysis. This regulation is an administrative change and is not a major rule because it is not likely to result in:

An annual effect on the economy of \$100 million or more;

A major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or

Significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

This regulation was submitted to the Office of Management and Budget for review as required by Executive Order 12291.

(42 U.S.C. 7411)

Dated: April 27, 1981.

Thomas C. Voltaggio,
Acting Director, Enforcement Division.

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) * * *

(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; sewage treatment plants; and electric utility steam generating units), Delaware Department of Natural Resources and Environmental Control, Edward Tatnall Building, Dover, Delaware 19901.

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