Federal Coal Mine Health and Safety Act of 1969 and other pertinent statutes, the timetables, based on mining heights, for the installation of canopies or cabs on self-propelled electric-face equipment, contained in § 75.1710-1(a) (2), (3), (4), (5), and (6), may be shortened or lengthened. (emphasis added)

Since October 3, 1972, considerable research and study has been performed by the Bureau of Mines, MESA, operators and manufacturers. The results of these efforts, as well as experience gained in the course of MESA enforcement, indicate that practical technology is available to design and construct a substantial canopy or cab for all mining heights.

However, in lower mining heights, particularly those below 30 inches, certain human engineering problems have not been fully solved. While these problems vary depending upon the particular mining equipment, they include impaired operator vision, and operator cramping and fatigue. Because of these unsolved engineering problems the Secretary has determined that certain dates should be extended on and after which coal mines having specific mining heights must install canopies or cabs. This action is considered necessary in order to permit development of additional technology on canopy or cab design, in conjunction with accomplishing equipment design changes to adapt canopies or cabs.

In view of the above circumstances, it is determined that good cause exists for omitting the rulemaking procedure. Therefore, §75.1710-1 is amended as set forth below, effective June 9, 1976.

§ 75.1710-1 [Amended]

1. Paragraph (a) (5) is revised to read as follows:

(a) * * *

(5) (i) On and after January 1, 1976, in coal mines having mining heights of 30 inches or more, but less than 36 inches,

(ii) On and after July 1, 1977, in coal mines having mining heights of 24 inches or more, but less than 30 inches, and * * *

2. In paragraph (a) (6), the date reading "July 1, 1976" is changed to read "July 1, 1978".

(Secs. 101(a), 317(j) Federal Coal Mine Health and Safety Act of 1969, as amended, Pub. L. 91-173, 83 Stat. 745, 789, 30 U.S.C. 811(a), 877(j))

Dated: June 3, 1976.

RAYMOND A. PECK, Jr.,
Deputy Assistant Secretary of the Interior.

[FR Doc.76-16636 Filed 6-8-76;8:45 am]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

[FRL 557-7]

PART 52—APPROVAL AND PROMULGATION OF STATE IMPLEMENTATION PLANS

Idaho SO_2 Control Strategy

The purpose of this rulemaking is to (1) disapprove Regulation R of the "Rules and Regulations for the Control of Air Pollution in Idaho;" (2) promulgate substitute regulations which will provide for the control of SO_2 at The J. R. Simplot Company facility near Pocatello, Idaho; (3) approve a State-issued Consent Order for the control of SO_2 at the Beker Industries facility at Conda, Idaho; (4) revoke the federally promulgated compliance schedule for sulfuric acid plants located in the State of Idaho; and (5) extend the attainment date for meeting national primary and secondary ambient air quality standards for sulfur oxides (sulfur dioxide) in the Eastern Idaho Intrastate Air Quality Control Region to July 31, 1976. The preamble which follows contains the background for these actions, a summary of public comments, the Administrator's findings and a description of the promulgated regulations.

BACKGROUND

The Eastern Idaho Intrastate Air Quality Control Region (AQCR) is classified Priority IA for sulfur oxides (SO_x) due to emissions from the production of sulfuric acid by The J. R. Simplot Company's Minerals and Chemical Division located near Pocatello, Idaho. On May 31, 1972 (37 FR 10842), under Section 110 of the Clean Air Act, the Administrator approved, with specific exceptions, the State of Idaho Air Quality Implementation Plan (SIP) for the attainment and maintenance of the National Ambient Air Quality Standards (NAAQS). Specifically, the Administrator disapproved the SO_x control strategy and compliance schedule sections of the Idaho SIP for the Eastern Idaho Intrastate AQCR because the Plan did not contain a regulation for the attainment and maintenance of the SO_x NAAQS in the Eastern Idaho Intrastate AQCR. Subsequently, on October 24, 1972, the State of Idaho adopted Regulation R, "Regulation for Control of Sulfur Oxides Emissions from Sulfuric Acid Plants," as the basis for an SO_x control strategy for the Eastern Idaho Intrastate AQCR. Regulation R restricts SO_x emissions to 28 pounds per ton of 100 percent sulfuric acid produced. The two existing facilities subject to the regulation were The J. R. Simplot Company and the Beker Industries facility.

The Administrator, in the May 14, 1973 FEDERAL REGISTER (38 FR 12702), approved Regulation R as the SO_x control strategy for the Eastern Idaho Intrastate AQCR. In the August 23, 1973 FEDERAL REGISTER (38 FR 22735), EPA promulgated a compliance schedule for the two sources subject to Regulation R. On September 21, 1973 Simplot filed a Petition for Review of EPA's approval of Regulation R and promulgation of the compliance schedule. Simplot's Petition was, in large part, based on the contention that Regulation R was more restrictive than necessary for the attainment and maintenance of the SO_x NAAQS.

Soon after, on October 24, 1973, the Idaho Board of Environmental and Community Services (now the Board of Health and Welfare) adopted a Consent Order for Beker Industries which replaces Regulation R as the regulation applicable to the facility. The Consent Order establishes SO_2 and particulate emissions from the facility, in addition to requiring performance tests and continuous monitoring. Reports on the tests and continuous monitoring are submitted to the Idaho Department of Health and Welfare on a regular basis. The Consent Order was submitted for EPA's approval as a SIP revision on July 28, 1975. The Order was proposed and public comment invited in the November 6, 1975 FEDERAL REGISTER (40 FR 51655). No comments were received during the 30-day public comment period ending December 8, 1975.

In the meantime, from October 1973 through May 1974, EPA gathered and analysed relevant information pertaining to the technical merit of The J. R. Simplot Company's Petition for Review. During this review, EPA worked closely with the State of Idaho and The J. R. Simplot Company.

On May 29, 1974 The J. R. Simplot Company proposed to EPA a method of SO_x emission control based on a revised sulfuric acid plant configuration. The J. R. Simplot Company requested an EPA technical review and approval of their approach. The May 29 Simplot proposal was evaluated in detail using the results of diffusion modeling in conjunction with analysis of measured ambient SO_2 concentrations. On July 22, 1974 EPA transmitted to Simplot its final report, "Analysis of Technical Contentions Contained in The J. R. Simplot Company Petition for Review." Briefly, the report concludes that Regulation R is inadequate to provide for attainment and maintenance of the NAAQS. Further, the report concludes that Simplot's proposal was inadequate in that a more restrictive (1700 lbs/hr) emission limit would be required for the #300 acid plant.

On September 16, 1974, under the authority of section 110(c) of the Clean Air Act, EPA officially advised the State of Idaho that Regulation R was inadequate to provide for attainment and maintenance of SO_2 NAAQS. The State was given 60 days to revise their SIP.

On October 22, 1974 the Idaho Department of Health and Welfare indicated that due to their heavy involvement with other issues and the pending nature of the Simplot Petition for Review, EPA should proceed with the matter of promulgating the required emission control and compliance schedule for Simplot. Therefore, in the August 20, 1975 FEDERAL REGISTER (40 FR 36385), EPA proposed: (1) disapproval of Regulation R; (2) a substitute emission limiting regulation to apply to The J. R. Simplot Company facility; (3) rescission of the compliance schedule for sulfuric acid plants, 40 CFR 52.677(d), as it applies to Simplot and (4) extension of the attainment date for primary and secondary SO_x NAAQS in the Eastern Idaho Intrastate AQCR to March 31, 1976.

PUBLIC COMMENT

A public hearing on the proposed federal regulation for The J. R. Simplot

Company was held in Pocatello, Idaho on September 25, 1975. The proposed EPA regulation and EPA's proposal to disapprove Regulation R elicited limited public comment. The testimonies and submittals to the public hearing record are summarized as follows:

Four individuals presented testimony on behalf of The J. R. Simplot Company. The first representative related the measures taken by Simplot to date to comply with the SO_x NAAQS, including the currently ongoing installation of an ammonia liquor scrubber which will serve both #100 and #200 sulfuric acid plants. Simplot also stated that they believe that limiting emissions of SO_2 from the #300 sulfuric acid plant to 1700 pounds per hour, as EPA proposed, will reduce effective plant capacity by at least 50 tons of sulfuric acid production per day, thereby potentially decreasing the amount of diammonium phosphate fertilizer produced.

A second representative presented a summary of a study recently prepared for the Company predicting the impact of Simplot's future operations on NAAQS. The study concludes that Simplot could operate the #300 acid plant at an effluent rate of 2190 pounds of SO_2 per hour and the #100 and #200 plants at 200 pounds per hour (equivalent to 2 kg per metric ton or 4 pounds per ton of sulfuric acid produced) without violating the SO_2 NAAQS. A summary of the technical background for the proposal was presented including methods used in the calculations and a summary of the findings.

Simplot also objected to several requirements of the proposed regulation relating to monitoring of emissions because the requirements are inconsistent with the regulations for new sulfuric acid plants as promulgated or, in some cases, proposed by EPA in 40 CFR Part 60, Standards of Performance for New Stationary Sources.

The last representative for the Simplot Company related additional measures the Company is prepared to take should EPA determine that the proposed emission rate of 2190 pounds of SO_2 per hour for #300 plant is not adequate to assure attainment and maintenance of NAAQS. These measures include (1) placing a meteorological station south of the Simplot facility to continuously monitor relevant weather conditions, (2) installing a system to continuously deliver data from the meteorological station to a control room in the plant, and (3) reducing to predetermined levels the production rates under certain weather and operating conditions to assure that no violations of the SO_x NAAQS will occur.

Simplot also requested that the date for final compliance with the emission limitations be changed to July 31, 1976, rather than the proposed date of March 31, 1976, because the installation of the ammonia liquor scrubber for the #100 and #200 acid plants cannot be completed until that date. Simplot provided written evidence indicating that the delay is due to a delay of delivery of equipment and material.

In addition, six representatives of the public presented testimony at the hearing. In general, their testimony related concern about the problem of SO_2 in the Pocatello area and support for stringent regulations to control emissions from the Simplot facility. Three letters were entered into the record at the hearing which also supported stringent regulations to control SO_2.

During the three week period that the public hearing record remained open to accept comments, two more letters were received from representatives of the general public who testified at the hearing reiterating statements made in support of stringent controls on Simplot.

In response to a question asked by EPA at the hearing, Simplot submitted information relating to a review of the #300 acid plant by a third consultant. This consultant made a number of recommendations to Simplot regarding the operation of the plant to improve its performance. In general, the consultant concluded that by changing some of the operating procedures currently utilized, the plant should be able to meet an SO_2 emissions rate even lower than the 1700 pounds per hour proposed by EPA. This is in agreement with testimony given at the hearing by an EPA technical advisor who indicated that a rate of 1280 pounds SO_2 per hour has been achieved by other similar sulfuric acid plants. Simplot responded that although essentially all of the consultant's recommendations have been completed, the emissions rate achieved by the #300 plant is higher than that projected by the consultant. The #300 acid plant is currently achieving a rate of approximately 2190 pounds SO_2 per hour.

Findings

In the period since the public hearing, the Administrator has carefully reviewed and evaluated all testimony and other submitted materials relating to the proposed federal regulation for the J. R. Simplot Company. The Administrator, the State of Idaho Department of Health and Welfare, and the Simplot Company have agreed that Regulation R is inadequate to prevent violations of the SO_2 NAAQS in the Eastern Idaho Intrastate AQCR. In addition, it is agreed that the proposed SO_2 emission rate of 2 kg per metric ton (4 pounds per ton) of sulfuric acid produced for the combined #100 and #200 sulfuric acid plant can be regarded as the maximum achievable technology and will assure that the #100 and #200 plants alone will not cause a violation of the SO_2 NAAQS.

In regard to Simplot's request that the date for final compliance with the emission limitations be extended to July 31, 1976, the Administrator finds that the delay is beyond the control of Simplot, and since the Company is making a good faith effort to complete installation of the scrubber, the Administrator is granting the request. The Administrator is also extending the attainment date for meeting SO_2 NAAQS in the Eastern Idaho Intrastate AQCR to July 31, 1976. In addition, because of the length of time that has passed prior to the promulgation of these regulations, the Administrator is allowing Simplot until September 30, 1976 to meet the requirements for the installation of the continuous emission and ambient monitoring equipment.

The only remaining principal area of disagreement between EPA and Simplot is the SO_2 emissions rate from the #300 sulfuric acid plant. Both EPA and Simplot submitted detailed technical documents to the record outlining a basis for determining the appropriate SO_2 emissions rate from the #300 plant. Simplot contends that a rate of 2190 pounds SO_2 per hour will assure that no violations of the SO_2 NAAQS will occur. EPA has calculated that a rate of 1700 pounds SO_2 per hour is necessary to assure that no violations occur. Each proposal is based on analytical diffusion techniques and, to a large extent, considers the same data. The Administrator has carefully reviewed and evaluated both documents and has found that some technical weaknesses can be found in each due to the insufficient data upon which both are based. The Administrator has therefore concluded that it would be futile to attempt to do further analysis on the proper emission rate at this time in view of: (1) the lack of adequate technical background data, and (2) the changes that have been made recently in the plant's configuration. The Administrator has determined that the more appropriate action is to base the emissions rate on an analysis of actual measured ambient air quality, meteorological and emissions data.

Therefore, the Administrator is today promulgating an emissions limitation of 2190 pounds of SO_2 per hour for the #300 sulfuric acid plant. Also, in order to determine whether a more restrictive emission limit is required, the Administrator is requiring that Simplot install and operate an expanded ambient monitoring network until such time as the Administrator declares that an adequate data base has been generated which shall be no earlier than at least one year. Within 90 days of the Administrator's declaration of an adequate data base, Simplot will submit for EPA's review a technical analysis indicating the degree of permanent emissions control required on the #300 acid plant to ensure attainment and maintenance of NAAQS.

Regulations

The Administrator is today disapproving Regulation R because it does not ensure the attainment and maintenance of NAAQS for SO_2.

The Administrator is also approving the Consent Order issued by the Idaho Board of Health and Welfare on October 24, 1973, as the applicable regulation for the Beker Industries Corporation, located at Conda, Idaho. The Consent Order has been reviewed by EPA and found to meet the requirements of 40 CFR Part 51. Any future changes to the Order made by the State must be submitted to EPA as an Implementation Plan revision in accordance with 40 CFR 51.6.

The Administrator is promulgating a regulation applicable to The J. R. Simplot Company as follows:

1. The combined SO_2 emissions from the designated #100 and #200 sulfuric acid plants shall not exceed 2 kg per metric ton (4 pounds per ton) of 100 percent sulfuric acid produced.

2. The SO_2 emissions from the designated #300 sulfuric acid plant shall not exceed 994 kg (2190 pounds) per hour.

3. Simplot must utilize best engineering techniques in the operation of their plant to prevent fugitive SO_2 losses.

4. The #100 and #200 sulfuric acid plants, which share a common stack, and the #300 sulfuric acid plant, are subject to performance testing and continuous emission monitoring requirements.

The regulation establishes certain SO_2 emission limitations which the facility must meet by July 31, 1976. The regulation also establishes test methods and procedures to be followed in determining compliance with the promulgated emission limitations.

5. Simplot is required to install, operate and report data from an expanded ambient air monitoring network of sufficient size to fully assess the impact of SO_2 emissions on ambient air quality in the principal downwind directions from the plant. Such a network shall consist of a minimum of four ambient SO_2 monitoring instruments and one meterological station capable of monitoring wind speed and wind direction. All site locations shall be subject to the approval of the Administrator. Simplot shall certify to EPA that the data generated from these instruments is accurate to the manufacturer's suggested specification.

The Administrator is also today extending the attainment date for the SO_2 NAAQS in the Eastern Idaho Intrastate AQCR to July 31, 1976.

Should the State of Idaho Department of Health and Welfare, following promulgation of the regulations for The J. R. Simplot Company, adopt and submit regulations equivalent to the regulations promulgated below, the Administrator will make an appropriate modification to his determination regarding the approvability of the affected portion of the State's Implementation Plan and will rescind these regulations.

The record of EPA's disapproval of Regulation R, and the record of public comment on the proposed federal regulations are available for review at the following locations:

Idaho Department of Health and Welfare, Statehouse, Boise, Idaho 83720.
Environmental Protection Agency, Region X, 1200 Sixth Avenue, Seattle, Washington 98101.
Environmental Protection Agency, Public Information Reference Unit, Room 2922 (EPA Library), 401 M Street SW., Washington, D.C. 20460.

The regulations promulgated herein are effective July 9, 1976.

This Notice of Final Rulemaking is issued under the authority of Section 110 (a) and 110(c) of the Clean Air Act, as amended (42 U.S.C. 1857c-5(a) and 1857c-5(c)).

Dated: June 2, 1976.

JOHN QUARLES,
Acting Administrator.

Part 52 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

Subpart N—Idaho

1. In § 52.670, paragraph (c) is amended by adding subparagraph (15) as follows:

§ 52.670 Identification of plan.

* * * * *

(c) The plan revisions listed below were submitted on the dates specified.

* * * * *

(15) Consent Order for Beker Industries submitted on July 28, 1975 by the Governor.

2. Section 52.672 is amended by adding paragraph (c) as follows:

§ 52.672 Extensions.

* * * * *

(c) The Administrator hereby extends to July 31, 1976, the attainment date for the primary and secondary standards for sulfur oxides in the Eastern Idaho Intrastate Air Quality Control Region.

3. Section 52.675 is added as follows:

§ 52.675 Control Strategy: Sulfur oxides—Eastern Idaho Intrastate Air Quality Control Region.

(a) Regulation R of the Rules and Regulations for the Control of Air Pollution in Idaho, which is part of the sulfur dioxide (SO_2) control strategy, is disapproved since it is inconsistent with the purposes and provisions of § 51.13. These requirements are not met by Regulation R in that the SO_2 control strategy contained therein is not adequate for the attainment and maintenance of SO_2 national ambient air quality standards (NAAQS).

(b) *Regulation for control of sulfur dioxide (SO_2) emissions: Sulfuric Acid Plants.*

(1) The provisions of this paragraph shall apply to the owner(s) and operator(s) of The J.R. Simplot Company's Minerals and Chemical Division, located in Power County, Idaho, in the Eastern Idaho Intrastate Air Quality Control Region.

(2) The owner(s) and operator(s) of The J. R. Simplot Company facility shall utilize best engineering techniques in the operation of their plant to prevent fugitive SO losses. Such techniques shall include but are not limited to:

(i) Operating and maintaining all conducts, flues, and stacks in a leakfree condition.

(ii) Operating and maintaining all process equipment and gas collection systems in such a fashion that leakage of SO_2 gases will be prevented to the maximum extent possible.

(3) The owner(s) and operator(s) of The J. R. Simplot Company facility shall limit SO_2 emissions from their sulfuric acid plants per the following:

(i) The combined SO_2 emissions from the designated #100 and #200 sulfuric acid plants shall not exceed 2 kilograms (kg) per metric ton (4 pounds per ton) of 100 percent sulfuric acid produced.

(ii) The SO_2 emissions from the designated #300 sulfuric acid plant and stack shall not exceed 994 kg per hour (2190 pounds per hour).

(4) (i) The owner(s) and operator(s) of The J. R. Simplot Company shall achieve compliance with the requirements specified in paragraphs (b) (2) and (b) (3) of this section in accordance with the following schedule:

(A) Advise EPA as to status of contract(s) and construction schedules for pollution abatement projects within 30 days of the effective date of this regulation.

(B) Attain final compliance by July 31, 1976.

(ii) A performance test of the #300 acid plant shall be necessary to determine whether compliance has been achieved with the requirements of paragraph (b) (3) of this section. Such test must be completed within 15 days of the final compliance date specified in paragraph (b) (4) (i) of this section. Notice must be given to the Administrator at least 10 days prior to such a test to afford him an opportunity to have an observer present.

(iii) Within 60 days after achieving the maximum production rate at which the #100 and #200 acid plant will be operated, but not later than 180 days after initial start-up of these plants and at such other times as may be required by the Administrator under Section 114 of the Clean Air Act, the owner(s) and operator(s) of the facility shall conduct performance test(s) in accordance with the requirements of 40 CFR 60.8.

(iv) If the owner(s) and operator(s) of The J. R. Simplot Company facility are presently in compliance with the requirements of paragraph (b) (2) and (b) (3) of this section or in compliance with a portion of these requirements, such compliance shall be certified to the Administrator within 15 days following the date of the publication of these requirements as a final regulation in the FEDERAL REGISTER. If the owner(s) or operator(s) of The J. R. Simplot Company achieve compliance prior to July 31, 1976, such compliance shall be certified to the Administrator within 15 days of the date of achieving compliance. The Administrator may request whatever supporting information he considers necessary to determine the validity of the certification.

(5) (i) By no later than September 30, 1976, the owner(s) and operator(s) of The J. R. Simplot Company facility shall install, calibrate, maintain and operate measurement system(s) for:

(A) Continuously monitoring and recording SO_2 concentration rates in each sulfuric acid plant discharge stack per the requirements of 40 CFR 60.13 and 60.84.

(B) Continuously monitoring and recording gas volumetric flow rates in the exhaust stack of the designated #300 sulfuric acid plant.

(ii) By no later than October 30, 1976, and at such other times following that date as the Administrator may specify, the SO_2 concentration measurement system(s) and stack-gas volumetric flow rate system(s) installed and used pursuant to this paragraph shall be demonstrated to meet the measurement system performance specifications prescribed in 40 CFR 60.13 and Appendix E to this part, respectively. The Administrator shall be notified at least 10 days prior to the start of this field test period to afford the Administrator the opportunity to have an observer present.

(iii) The sampling point for monitoring the concentration of SO_2 emissions shall be in the duct at the centroid of the cross section of the discharge stack if the cross sectional area is less than 4.65 m^2 (50 ft^2) or at a point no closer to the wall than 0.91 m (3 ft) if the cross sectional area is 4.65 m^2 (50 ft^2) or more. The monitor sample point shall be representative of the average concentration in the duct.

(iv) The measurement system(s) shall be maintained, operated and calibrated in accordance with the methods prescribed by the manufacturers. Records of maintenance and/or calibration shall be kept and submitted to the Administrator upon request. These records shall clearly show instrument readings before and after such calibration and/or maintenance.

(v) The owner(s) and operator(s) of The J. R. Simplot Company facility shall maintain a daily record of three hour average emission rate measurements for each sulfuric acid plant. Three hour average emission rates shall be calculated for each day beginning at midnight. For the #100 and #200 acid plants, the calculations shall be in conformance with 40 CFR 60.84. For the #300 acid plant, average SO_2 emission rates expressed in kg SO_2 per hour shall be calculated. The results of these calculations for each month shall be submitted to the Administrator within 15 days following the end of each month. Such submission shall identify each period of excess emissions that occurred and the nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted. The records of such measurements including strip charts and other appropriate raw data shall be retained for a minimum of two years following the date of such measurements.

(vi) The continuous monitoring and recordkeeping requirements of paragraph (b)(5) of this section shall become applicable September 30, 1976.

(6)(i) Compliance with the requirements set forth in paragraph (b)(3) of this section shall be determined using the emission rates measured by the continuous measurement system(s) installed, calibrated, maintained and operated in accordance with the requirements of paragraph (b)(5) of this section.

(ii) At the Administrator's discretion, compliance may also be determined using the manual source test methods per 40 CFR 60.85 and Appendix A to Part 60 of this Title. Emission rates for each stack shall be expressed in units consistent with those in paragraph (b)(3) of this section.

(iii) A violation of the requirements of paragraph (b)(3) of this section shall occur whenever the SO_2 emission rates determined according to paragraph (b)(6)(i) or (b)(6)(ii) of this section exceed the corresponding SO_2 emission rates specified in paragraph (b)(3) of this section.

(7) The owner(s) and operator(s) of The J. R. Simplot Company facility shall by September 30, 1976, install, calibrate, maintain and operate a network for continuously monitoring ground level ambient SO_2 concentrations and wind speed and direction.

(i) The monitoring network shall consist of at least four ambient SO_2 monitoring stations and one meteorological station placed at locations approved by the Administrator.

(ii) The SO_2 monitoring network shall be consistent with automated equivalent methods for measurement of ambient concentrations of SO_2 as defined in Part 53 of this chapter.

(iii) The monitoring network installed and used pursuant to this subparagraph shall be maintained, operated and calibrated in accordance with the methods prescribed by the manufacturers. Records of maintenance and/or calibration shall be kept and submitted to the Administrator upon request. These records shall clearly show instrument readings before and after such calibration and/or maintenance.

(iv) The owner(s) and operator(s) of The J. R. Simplot Company facility shall maintain a daily record of all measurements required by this subparagraph. Strip charts and other raw data from the monitoring network shall be retained for a minimum of two years following the date of such measurement.

(v) The owner(s) and operator(s) of The J. R. Simplot Company shall calculate hourly average ambient SO_2 concentrations, wind speed, and wind direction from each monitoring station and submit such values to the Administrator within 15 days following the end of each month.

(vi) The continuous monitoring and recordkeeping requirements of paragraph (b)(7) of this section shall become applicable September 30, 1976 and shall remain applicable until such time as the Administrator declares that an adequate ambient air data base has been established, which shall be no earlier than at least one calendar year.

(vii) Within 90 days of the Administrator's declaration of an adequate data base, Simplot shall submit to the Administrator a technical analysis of the degree of permanent control required on the #300 acid plant to ensure attainment and maintenance of NAAQS.

(8) Nothing in paragraph (b) of this section shall be construed to relieve the owner(s) and operator(s) of The J. R. Simplot Company to comply with any applicable requirements of Part 60 of this Title. In the event of conflicting requirements or interpretations between Part 60 of this Title and this paragraph, the more restrictive interpretation or requirement shall apply.

(9) In the event that measurement systems cannot be installed and operational by the date specified in this section, The J. R. Simplot Company shall propose the earliest possible date by which such requirements can be met. Such proposal shall include adequate justification and supporting documentation.

§ 52.677 [Amended]

4. Section 52.677 is amended by revoking paragraph (d)(3) and (d)(4) as follows:

* * * * *

(d) *Federal compliance schedules.*

* * * * *

(3) [Reserved]
(4) [Reserved]

§ 52.680 [Amended]

5. In § 52.680, the letter "a" indicating the date for attainment of the national primary and secondary ambient air quality standards for sulfur oxides in the Eastern Idaho Intrastate Air Quality Control Region is amended to read "*f*", and footnote "*f*" is added beneath the table to read as follows:

* * * * *

f: July 31, 1976.

[FR Doc.76-16746 Filed 6-8-76;8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER 101—FEDERAL PROPERTY MANAGEMENT REGULATIONS

[FPMR Amendment E-183]

PART 101-32—GOVERNMENT-WIDE AUTOMATED DATA MANAGEMENT SERVICES

Validation of Cobol Compilers; Substitute to Standard Terminology

FPMR Amendment E-174 (40 FR 53012), requiring the validation of COBOL compilers, was published on November 14, 1975. FPMR Amendment E-174 requires that all COBOL compilers brought into the Federal inventory must be validated to determine their conformance with Federal Information Processing Standard Publication (FIPS PUB) 21-1, Federal Standard COBOL.

Vendors are unable to comply with certain requirements of the new regulation because their development of compilers based on FIPS PUB 21-1 is in various stages of completion. FIPS PUB 21-1 provides for an interim period (December 1, 1975 to June 1, 1977) to allow vendors to make the transition from the FIPS PUB 21 standard.

This regulation provides a substitute paragraph with special terminology for solicitation documents that will be used by agencies during this transition period.