

because they do not meet the criteria for major regulations established in the Order.

#### Regulatory Flexibility Act

The Secretary certifies that these regulations will not have a significant economic impact on a substantial number of small entities. The regulations propose simple and flexible election procedures, and fewer than 20 school systems are affected.

#### List of Subjects in 34 CFR Part 222

Education, Education of the handicapped, Elementary and secondary education, Federally affected areas, Grant program—education, Public housing.

#### Citation of Legal Authority

A citation of statutory or other legal authority is placed in parentheses following each substantive provision of these final regulations.

(Catalog of Federal Domestic Assistance No. 84.041, School Assistance in Federally Affected Areas—Maintenance and Operations)

Dated: April 23, 1984.

T. H. Bell,

Secretary of Education.

The Secretary amends Subpart F of Part 222 of Title 34 of the Code of Federal Regulations as follows:

#### PART 222—ASSISTANCE FOR LOCAL EDUCATIONAL AGENCIES IN AREAS AFFECTED BY FEDERAL ACTIVITIES AND ARRANGEMENTS FOR EDUCATION OF CHILDREN WHERE LOCAL EDUCATIONAL AGENCIES CANNOT PROVIDE SUITABLE FREE PUBLIC EDUCATION

1. The table of contents for Subpart F of Part 222 is amended by adding a new § 222.59a, to read as follows:

##### Subpart F—Arrangements Under Section 6 of the Act

Sec.

\* \* \* \* \*

222.59a Elected school board required.

2. Section 222.59a is added to read as follows:

##### § 222.59a Elected school board required.

(a) This section applies to all schools operated with funds provided under section 6, except those which, independently of the section 6 arrangement, are governed by an elected school board as required by State or local law.

(b)(1) An agency with which the Secretary makes a section 6 arrangement shall establish an elective

school board for schools assisted under that section.

(2) The agency shall empower this elective school board to oversee—review and monitor—school expenditures and operations, subject to audit procedures established by the Secretary, and other provisions of section 6 and this Subpart F.

(c) A school board established under paragraph (b) of this section must be composed of a minimum of three members elected by parents of students in attendance at the schools.

(d) The agency shall ensure the following election procedures:

(1) The parents must have adequate notice of the time and place of the election.

(2) The election must be by secret ballot and those candidates are elected who receive a plurality of the votes.

(3) Personnel employed in the schools may not be board members.

(4) Candidates for board membership must be nominated by one parent, or more, of students who are in attendance at the schools.

(20 U.S.C. 241(g))

[FR Doc. 84-11111 Filed 4-23-84; 8:45 am]

BILLING CODE 4000-01-M

#### ENVIRONMENTAL PROTECTION AGENCY

##### 40 CFR Part 52

[A-X-FRL-2570-7]

Approval and Promulgation of Implementation Plans; Alaska

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

**SUMMARY:** EPA today approves revisions to the Alaska State Implementation Plan (SIP) which (1) add revised regulations for the control of open burning and wood smoke from residential home heating; (2) revise the emission standards for municipal wastewater treatment plant sewage sludge incinerators and woodwaste burning equipment; and (3) update, clarify and reorganize the provisions of the previously approved SIP. These revisions were submitted on November 15, 1983 by the Alaska Department of Environmental Conservation (ADEC) after adequate opportunity for public, private, and industry input.

**EFFECTIVE DATE:** This action will be effective on June 25, 1984 unless notice is received before May 24, 1984 that someone wishes to submit adverse or critical comments. If such notice is

received, EPA will open a formal thirty-day comment period on this action.

**ADDRESSES:** Copies of the materials submitted to EPA may be examined during normal business hours at the following locations:

Public Information Reference Unit,  
Environmental Protection Agency, 401  
M Street, S.W., Washington, D.C.  
20460.

Air Programs Branch, Environmental  
Protection Agency, (10A-84-1), Region  
10, 1200 Sixth Avenue, Seattle,  
Washington 98101.

State of Alaska, Department of  
Environmental Conservation, 3220  
Hospital Drive, Juneau, Alaska 99811.

Copy of the State's submittal may be  
examined at: The Office of Federal  
Register, 1101 L Street N.W., Room 8401,  
Washington, D.C.

Comments should be addressed to:  
Laurie M. Kral, Environmental  
Protection Agency, 1200 Sixth Avenue,  
M/S 532, Seattle, Washington 98101.

**FOR FURTHER INFORMATION CONTACT:**  
David C. Bray, Air Programs Branch, M/  
S 532, Environmental Protection Agency,  
1200 Sixth Avenue, Seattle, Washinton  
98101, Telephone: (206) 442-8577, FTS:  
399-8577.

**SUPPLEMENTARY INFORMATION:** EPA is  
today approving a number of revisions  
to the Alaska SIP which were submitted  
on November 15, 1983. The primary  
effects of these revisions are to revise  
the provisions for open burning and for  
controlling wood smoke from residential  
home heating, and to update, revise and  
reorganize the provisions of the  
currently approved SIP. EPA is only  
approving new and/or revised  
provisions of the November 15, 1983  
submittal and is not reapproving  
portions of the submittal which are  
identical to the currently-approved SIP.

The revisions to Volume II of the State  
Air Quality Control Plan which EPA is  
approving are described below.

Section I **BACKGROUND** and  
subsection I.A. **INTRODUCTION** are  
retitleings of the currently-approved  
Section I. **INTRODUCTION** and  
subsection I.A. **SUMMARY**. Subsections  
I.A. **INTRODUCTION**, I.B. **AIR  
QUALITY CONTROL REGIONS**, and  
I.C. **ATTAINMENT/  
NONATTAINMENT DESIGNATIONS**  
have been revised to clarify the current  
status. A new subsection I.D.  
**PREVENTION OF SIGNIFICANT  
DETERIORATION DESIGNATIONS** has  
been added which includes certain  
revised provisions of the currently  
approved subsection I.C.3 *Prevention of  
Significant Deterioration Designations*.  
(Other provisions of subsection I.C.3

which relate to prevention of significant deterioration (PSD) reclassifications have been relocated to the new Appendix IV.C.)

Section II *STATE AIR QUALITY CONTROL PROGRAM* is a retitling of the current Section II *ALASKAN AIR QUALITY CONTROL PROGRAMS* and has been revised and updated to reflect the current status of the State and local air pollution control programs.

Section III *AREAWIDE POLLUTANT CONTROL PROGRAM* is a retitling and revision of the current Section III *AREAWIDE POLLUTANT CONTROL EFFORTS*. The current subsection III.A.1.c Other Areas, which discusses the attainment of the carbon monoxide standard in areas other than the two nonattainment areas has been deleted. Subsection III.D TOTAL SUSPENDED PARTICULATE MATTER has been renumbered from the current III.B. *TOTAL SUSPENDED PARTICULATE MATTER*, and has been revised to eliminate the discussion of attainment area status. Subsection III.E. ICE FOG has been renumbered from III.C. *ICE FOG*, and has been revised to clarify the State's control efforts. Subsection III.F. *OPEN BURNING* has been renumbered and retitled from the current III.D. *OPEN BURNING—FOREST PRACTICES*, and has been revised and expanded to clarify the revised regulations for control of open burning. A new section III.G. *WOOD SMOKE POLLUTION CONTROL* has been added to discuss the revised regulations for control of smoke from residential home heating.

Section IV *POINT SOURCE CONTROL PROGRAM* has been retitled from the current Section IV *POINT SOURCE CONTROL EFFORTS* and has been extensively revised. Subsection IV.A. SUMMARY has been revised to reflect the current program. A new subsection IV.A.1. Annual Review Report, has been added which is a revision and relocation of the current subsection IV.G.10. *Annual Review*. A new subsection IV.B. *STATE AIR QUALITY REGULATIONS* is an update and relocation of the current subsection IV.I *STATE AIR QUALITY CONTROL REGULATIONS*. A new subsection IV.C. *LOCAL PROGRAMS* is a revision and relocation of the current subsection IV.F. *LOCAL PROGRAM ENFORCEMENT*. A new subsection IV. D. *DESCRIPTION OF SOURCE CATEGORIES AND POLLUTANTS* is added which relocates, consolidates and revises the current subsection IV.B. *DESCRIPTION OF SOURCE CATEGORIES AND POLLUTANTS* as a new subsection IV.D.1. Typical Point Sources, and the current subsection

IV.C. *SUMMARY OF MAJOR EMITTING FACILITIES* as a new subsection IV.D.2 Summary of Major Emitting Facilities. The current subsection IV.D. *HISTORY OF POINT SOURCE CONTROL PROGRAM* has been deleted. New subsections IV.E. *POINT SOURCE CONTROL*, IV.F. *FACILITY REVIEW PROCEDURES*, IV.G. *APPLICATION REVIEW AND PERMIT DEVELOPMENT*, and IV.H. *PERMIT ISSUANCE REQUIREMENTS*, have been added which reorganize and revise the provisions of the current subsection IV.G. *NEW SOURCE REVIEW AND APPROVAL*.

Section V *AMBIENT AIR MONITORING* has been updated by revising subsection V.A. *PURPOSE*, revising and retitling subsection V.B. *COMPLETED AIR MONITORING PROJECTS* from the current subsection V.B. *DESCRIPTION OF PREVIOUS AIR MONITORING NETWORK*, revising subsection V.C. *AIR MONITORING NETWORK*, and revising subsection V.E. *ANNUAL REVIEW*, to reflect the current status of the State and local monitoring programs.

The revisions to Volume III: Appendices to the State Air Quality Control Plan which EPA is approving are described below.

The current Appendix I-1 Summary of Public Hearings and Written Testimony, Summary of Changes made to Air Quality Regulations, Response to Selected EPA Comments, Notice of Public Hearings, Discussion of Proposed Changes to Regulations, Old Regulations, Proposed Changes to Regulations, and Appendix I-2 Recommendations for attainment/nonattainment designations, have been deleted since they are unnecessary.

The new Appendix II.A State Air Statutes, State Attorney General Opinion on Legal Authority, contains the provisions of the current Appendices II-1 Alaska Statutes and II-5 Alaska State Department of Law Legal Opinion. The new Appendix II.B Municipality of Anchorage/Cook Inlet/ADEC Agreements, contains the provisions of the current Appendix II-4 Municipality of Anchorage/Alaska Department of Environmental Conservation Agreement.

The new Appendix II.C Fairbanks North Star Borough Ordinances/FNSB & ADEC Agreements, contains the provisions of the current Appendices II-2 Regulations of the Fairbanks North Star Borough and II-3 Fairbanks North Star Borough/Alaska Department of Environmental Conservation Agreement. The new Appendix III.G. Ordinance of the City and Borough of Juneau, contains

the ordinance for control of wood smoke from residential home heating.

The new Appendix IV.1 PSD Area Classification and Reclassifications, contains information on Class I areas (Appendix IV.1.A Class I Area Boundaries and Appendix IV.1.B. Areas Protected from Visibility Degradation) and the procedures for reclassification (Appendix IV.1.C. Reclassifications) which are revised and relocated from the current Section I.C.3.c. PSD Reclassification Procedures.

The new Appendix IV.2 Compliance Assurance, relocates and revises the provisions of the current subsection IV.H *COMPLIANCE ASSURANCE*.

The new Appendix IV. 3 Testing Procedures, renumbers and revises the current Appendix IV-3 Testing Procedures, to incorporate EPA test methods. The current Appendices IV-1 Summaries of Emission Inventories and IV-2.D Permit to Operate for the Fairbanks Municipal Utilities System are deleted since they are unnecessary for maintenance of ambient standards.

The current Appendix IV-4 ADEC Ambient Analysis Procedures is renumbered as Appendix V.A.

The current Appendix V-1 Air Quality Data is deleted since it is unnecessary.

The revisions to the ADEC regulations (TITLE 18. ENVIRONMENTAL CONSERVATION, CHAPTER 50. AIR QUALITY CONTROL) which EPA is approving are described below.

Section 18 AAC 50.021 *STATE AIR QUALITY CLASSIFICATIONS*, is revised by adding a new subsection (d) which designates the Mendenhall Valley of Juneau as a wood smoke control area. The Editor's Note for this section is updated to reflect the November 1, 1983 State Air Quality Control Plan. Section 18 AAC 50.030. *OPEN BURNING*, is revised by adding a new subsection (g) which prohibits open burning in wood smoke control areas between November 1 and March 31.

Section 18 AAC 50.040. *INCINERATORS*, is revised by amending subsections (a)(2) and (c), making the opacity and emission standard for municipal wastewater treatment plant sludge incinerators applicable to those installed before November 1, 1982 as well as those installed or modified after that date.

Section 18 AAC 50.050. *INDUSTRIAL PROCESSES AND FUEL BURNING EQUIPMENT*, is revised by amending subsections (a)(2) and (b)(4) so as to make these specific opacity and grain loading standards applicable only to woodwaste burning equipment in operation before November 1, 1982 and not all such equipment.

Section 18 AAC 50.085. WOOD-FIRED HEATING DEVICES, is revised by amending the emission standard in subsection (1) from "70 percent or greater for more than 20 minutes in any one hour" to "50 percent or greater for more than 15 minutes in any one hour", and by adding a new subsection (3) which bans the operation of wood-fired heating devices in wood smoke control areas whenever an air pollution emergency episode has been called.

EPA notes that the State did not submit these wood-firing heating device provisions as part of a demonstration of attainment and maintenance of the national ambient air quality standards for particulates. For that reason, in reviewing these provisions EPA did not determine the extent to which the resulting particulate emission reductions would be creditable in such a demonstration.

Section 18 AAC 50.300. PERMIT TO OPERATE, is revised by amending subsection (a)(1) to clarify which minor facilities need permits to operate, and by amending subsection (a)(7) to clarify the applicability date for the nonattainment area permit program.

Section 18 AAC 50.400. APPLICATION REVIEW AND ISSUANCE OF PERMIT TO OPERATE, is revised by amending subsection (d)(6) to change authority from the deputy director of ADEC to the regional supervisor.

Section 18 AAC 50.500. SOURCE TESTING, is revised by updating the cite to EPA's New Source Performance Standards in subsection (d), by revising the ADEC source test methods in subsection (e), and by updating the reference to the state Air Quality Control Plan in the Editor's Note for this section.

Section 18 AAC 50.510. AMBIENT ANALYSIS METHODS, is revised by updating the reference to the state Air Quality Control Plan in the Editor's Note for this section.

Section 18 AAC 50.520. EMISSION AND AMBIENT MONITORING, is revised by updating the reference to EPA's ambient monitoring regulations in subsection (a) and the reference to EPA's New Source Performance Standards in subsection (b).

Section 18 AAC 50.610. AIR EPISODES, is revised by adding new subsections (a)(1)(D) and (a)(3)(D) which establish specific alert and emergency levels for particulates in wood smoke control areas which are more stringent than the general total suspended particulate alert and emergency levels.

Section 18 AAC 50.620. AIR QUALITY CONTROL PLAN, is revised by updating the reference to the November 1, 1983

version of the state Air Quality Control Plan.

Section 18 AAC 50.900. DEFINITIONS, is revised by deleting the definition of deputy director (subsection 15), adding a definition of "regional supervisor" (subsection 39), renumbering subsections (39) through (45) as (40) through (46), and adding definitions of "wood-fired heating device" (subsection (47)) and "wood smoke control area" (subsection (48)).

It is important to note that six portions of the submittals are not being approved. Subsections III.B.10 and III.C.10 contain specific emergency episode plans for the Anchorage and Fairbanks carbon monoxide nonattainment areas. However, these plans do not satisfy the requirements of 40 CFR 51.16 in that they do not include measures which are adequate to ensure that significant harm levels are not exceeded. The local agencies are currently revising these plans so EPA is taking no action at this time on these submittals. Subsection IV.D.3 discusses the sources which are currently under State variances. Since these variances are not submitted for EPA approval, EPA is taking no action on the subsection which discusses them. Subsection V.D refers to the local agencies' carbon monoxide control plans for the episode monitoring programs. However, since EPA is taking no action on the submitted episode plans, it is also taking no action on this subsection. Appendix II.A: State Air Statutes, Section 46.03.170 VARIANCES, and Appendix II.C: Fairbanks North Star Borough Ordinances, Section 8.04.070 VARIANCES, are provisions which provide discretion to the directors of ADEC and the Fairbanks North Star Borough regarding source compliance. However, it is inappropriate for these provisions to be included in the EPA-approved SIP in order to implement 40 CFR 51.34. Rather, to implement 40 CFR 51.34, all variances must be submitted as individual SIP revisions. Therefore, EPA is taking no action on these sections.

Finally, the provisions included in these submittals are intended to replace the existing, EPA-approved SIP (48 FR 30623, July 5, 1983). Through this approval EPA is therefore replacing or deleting the provisions of the existing SIP where there are new provisions which supersede the old or where deletion has been justified.

In summary, EPA is approving the following portions of the November 15, 1983 submittal as revisions to the Alaska SIP:

## VOLUME II. ANALYSIS OF PROBLEMS, CONTROL ACTIONS

### Section I. BACKGROUND

- A. INTRODUCTION
- B. AIR QUALITY CONTROL REGIONS
- C. ATTAINMENT/NONATTAINMENT DESIGNATIONS
- D. PREVENTION OF SIGNIFICANT DETERIORATION DESIGNATIONS

### Section II. STATE AIR QUALITY CONTROL PROGRAM

### Section III. AREA WIDE POLLUTANT CONTROL PROGRAM

- D. TOTAL SUSPENDED PARTICULATE MATTER
- E. ICE FOG
- F. OPEN BURNING
- G. WOOD SMOKE POLLUTION CONTROL

### Section IV. POINT SOURCE CONTROL PROGRAM

- A. SUMMARY
  - 1. Annual Review Report
- B. STATE AIR QUALITY REGULATIONS
- C. LOCAL PROGRAMS
- D. DESCRIPTION OF SOURCE CATEGORIES AND POLLUTANTS
  - 1. Typical Point Sources
  - 2. Summary of Major Emitting Facilities
- E. POINT SOURCE CONTROL
  - 1. Introduction
- F. FACILITY REVIEW PROCEDURES
  - 1. Who needs a permit?
  - 2. Standard Application Procedures
  - 3. PSD Application Procedures, Preliminary report and meeting, Pre-construction monitoring, PSD application format.
  - 4. Nonattainment Application Procedures.
- G. APPLICATION REVIEW AND PERMIT DEVELOPMENT
  - 1. Application Review
  - 2. Permit Development Requirements, Monitoring and Testing Requirements, Ambient Monitoring, Continuous Emissions Monitoring, Source Testing.
  - 3. Prevention of Significant Deterioration Review, Basis of Program, PSD Regulations, PSD Analysis Procedure.
  - 4. Nonattainment Area Review
  - 5. New Source Performance Standards Source Review
  - 6. Visibility Review
  - 7. Sources under EPA Review
- H. PERMIT ISSUANCE REQUIREMENTS

## Section V. AMBIENT AIR MONITORING

### A. PURPOSE

### B. COMPLETED AIR MONITORING PROJECTS

1. Carbon Monoxide
2. Nitrogen Oxides
3. Sulfur Dioxide
4. Ozone
5. Total Suspended Particulates (TSP)

### C. AIR MONITORING NETWORK

1. Network Description
2. Station Designations
3. Air Quality Monitoring Procedures
4. Ambient Sampling for Specific Pollutants

### E. ANNUAL REVIEW

## VOLUME III. APPENDICES

### Section II. STATE AIR QUALITY CONTROL PROGRAM

#### II.A. State Air Statutes, State Attorney General Opinions on Legal Authority

#### II.B. Municipality of Anchorage/Cook Inlet/ADEC Agreements

#### II.C. Fairbanks North Star Borough Ordinances/FNSB & ADEC Agreements

### Section III. AREA WIDE POLLUTANT CONTROL PROGRAM

#### III.G. Ordinance of the City and Borough of Juneau

### Section IV. POINT SOURCE CONTROL PROGRAM

#### IV.1. PSD Area Classification and Reclassifications

##### A. Class I Area Boundaries

##### B. Areas Protected from Visibility Degradation

##### C. Reclassification

1. Limitations on PSD Reclassification
2. PSD Reclassification Procedures

#### IV.2. Compliance Assurance

#### IV.3. Testing Procedures

## Section V. AMBIENT AIR MONITORING

### ADEC Ambient Analysis Procedures

TITLE 18. ENVIRONMENTAL CONSERVATION, CHAPTER 50. AIR QUALITY CONTROL, Sections 021(d), 030(g), 040(a)(2), 040(c), 050(a)(2), 050(b)(4), 085, 300(a)(1), 300(a)(7), 400(d)(6), 500(d), 500(e), 510 (Editor's Note), 520(a), 520(b), 610(a), 620, 900(15), 900(39), 900(47), and 900(48).

EPA is approving the deletion of the following appendices:

## VOLUME III. APPENDICES

### I-1 Summary of Public Hearings, Written Testimony, etc.

### I-2 Recommendations for attainment/nonattainment designations

### IV-1 Summaries of Emission Inventories

### IV-2.D Permit to Operate for the Fairbanks Municipal Utilities System

### V-1 Air Quality Data

EPA is taking no action on VOLUME II: Section III.B.10, Section III.C.10, Section IV.D.3 and Section V.D, and VOLUME III: Appendix II.A, Section 46.03.170 and Appendix II.C, Section 8.04.070.

EPA views as noncontroversial and routine the approval of state rules which are more stringent than required by the Act and the clarification or reorganization of provisions in the currently approved SIP. EPA today is therefore approving, without prior proposal, the above revisions to the Alaska State Air Quality Control Plan and ADEC's regulations as a revision to the Alaska SIP.

The public should be advised that this action will be effective on June 25, 1984. However, if notice is received within 30 days that someone wishes to submit adverse or critical comments on any or all of the revisions approved herein, the action on those revisions will be withdrawn and two subsequent notices will be published before the effective date. One notice will withdraw the final action on those revisions and another will begin a new rulemaking by announcing a proposal of the action on those revisions and establishing a comment period.

Under section 307(b)(1) of the Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by (60 days of the date of publication). This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2) of the Act.)

Pursuant to the provisions of 5 U.S.C. 605(b), the Administrator has certified that SIP approvals under section 110 of the Clean Air Act will not have a significant economic impact on a substantial number of small entities.

The Office of Management and Budget has exempted this rule from the requirements of Section 3 of Executive Order 12291.

(Secs. 110(a) and 301(a) of the Clean Air Act (42 U.S.C. 7410(a) and 7601(a)))

### List of Subjects in 40 CFR Part 52

Intergovernmental relations, Air pollution control, Ozone, Sulfur oxides, Nitrogen dioxide, Lead, Particulate matter, Carbon monoxide.

Dated: April 18, 1984.

William D. Ruckelshaus,  
Administrator.

## PART 52—[AMENDED]

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

### Subpart C—Alaska

1. In § 52.70, paragraph (c)(11) is added as set forth below:

#### § 52.70 Identification of plan.

\* \* \*

(c) \* \* \*

(11) Provisions of a State Air Quality Control Plan submitted by the Alaska Department of Environmental Conservation on November 15, 1983, as follows:

### VOLUME II. ANALYSIS OF PROBLEMS, CONTROL ACTIONS

#### Section I. BACKGROUND

##### A. INTRODUCTION

##### B. AIR QUALITY CONTROL REGIONS

##### C. ATTAINMENT/NONATTAINMENT DESIGNATIONS

##### D. PREVENTION OF SIGNIFICANT DETERIORATION DESIGNATIONS

### Section II. STATE AIR QUALITY CONTROL PROGRAM

#### Section III. AREA WIDE POLLUTANT CONTROL PROGRAM

##### D. TOTAL SUSPENDED PARTICULATE MATTER

##### E. ICE FOG

##### F. OPEN BURNING

##### G. WOOD SMOKE POLLUTION CONTROL

### Section IV. POINT SOURCE CONTROL PROGRAM

#### A. SUMMARY

##### 1. Annual Review Report

#### B. STATE AIR QUALITY REGULATIONS

#### C. LOCAL PROGRAMS

#### D. DESCRIPTION OF SOURCE CATEGORIES AND POLLUTANTS

##### 1. Typical Point Sources

##### 2. Summary of Major Emitting Facilities

#### E. POINT SOURCE CONTROL

##### 1. Introduction

#### F. FACILITY REVIEW PROCEDURES

##### 1. Who needs a permit?

##### 2. Standard Application Procedures

##### 3. PSD Application Procedures, Preliminary report and meeting, Pre-construction monitoring, PSD application format

##### 4. Nonattainment Application Procedures

#### G. APPLICATION REVIEW AND PERMIT DEVELOPMENT

##### 1. Application Review

##### 2. Permit Development Requirement, Monitoring and Testing Requirements, Ambient Monitoring, Continuous Emissions Monitoring, Source Testing

##### 3. Prevention of Significant Deterioration Review, Basis of Program, PSD Regulations, PSD Analysis Procedure

##### 4. Nonattainment Area Review

- 5. New Source Performance Standards Source Review
- 6. Visibility Review
- 7. Sources under EPA Review
- H. PERMIT ISSUANCE REQUIREMENTS

Section V. *AMBIENT AIR MONITORING*

## A. PURPOSE

## B. COMPLETED AIR MONITORING PROJECTS

- 1. Carbon Monoxide
- 2. Nitrogen Oxides
- 3. Sulfur Dioxide
- 4. Ozone
- 5. Total Suspended Particulates (TSP)
- 6. Lead

## C. AIR MONITORING NETWORK

- 1. Network Description
- 2. Station Designations
- 3. Air Quality Monitoring Procedures
- 4. Ambient Sampling for Specific Pollutants

## E. ANNUAL REVIEW

## VOLUME III. APPENDICES

Section II. *STATE AIR QUALITY CONTROL PROGRAM*

- II.A. State Air Statutes, except section 46.03.170, State Attorney General Opinions on Legal Authority
- II.B. Municipality of Anchorage/Cook Inlet/ADEC Agreements
- II.C. Fairbanks North Star Borough Ordinances/FNSB & ADEC Agreements

Section III. *AREAWIDE POLLUTANT CONTROL PROGRAM*

- III.G. Ordinance of the City and Borough of Juneau

Section IV. *POINT SOURCE CONTROL PROGRAM*

## IV.1. PSD Area Classification and Reclassifications

- A. Class I Area Boundaries
- B. Areas Protected from Visibility Degradation
- C. Reclassification
- 1. Limitations on PSD Reclassification
- 2. PSD Reclassification Procedures

## IV.2. Compliance Assurance

## IV.3. Testing Procedures

Section V. *AMBIENT AIR MONITORING*

ADEC Ambient Analysis Procedures  
TITLE 18. ENVIRONMENTAL CONSERVATION, CHAPTER 50. AIR QUALITY CONTROL, Sections 021(d), 030(g), 040(a)(2), 040(c), 050(a)(2), 050(b)(4), 085, 300(a)(1), 300(a)(7), 400(d)(6), 500(d), 500(e), 510 (Editor's Note), 520(a), 520(b), 610(a), 620, 900(15), 900(39), 900(47), and 900(48).

2. Section 52.75 is revised to read as follows:

## § 52.75 Contents of the Approved State-Submitted Implementation Plan.

The following sections of the State air quality control plan (as in effect on the date indicated) have been approved and are part of the current State Implementation Plan:

## VOLUME II: ANALYSIS OF PROBLEMS, CONTROL ACTIONS

Section I. *BACKGROUND*

## A. INTRODUCTION (7/1/82)

## B. AIR QUALITY CONTROL REGIONS (7/1/82)

## C. ATTAINMENT/NONATTAINMENT DESIGNATIONS (7/1/83)

## D. PREVENTION OF SIGNIFICANT DETERIORATION DESIGNATIONS (7/1/83)

Section II. *STATE AIR QUALITY CONTROL PROGRAM* (11/1/83)Section III. *AREAWIDE POLLUTANT CONTROL EFFORTS*

- A. CARBON MONOXIDE, except subpart 1.c. Other Areas and subpart 5.h (Fairbanks Emergency Avoidance Plan) (1/18/80)

Section III. *AREAWIDE POLLUTANT CONTROL PROGRAM*

- D. TOTAL SUSPENDED PARTICULATE MATTER (7/1/82)
- E. ICE FOG (7/1/82)
- F. OPEN BURNING (10/30/83)
- G. WOOD SMOKE POLLUTION CONTROL (7/1/83)
- H. LEAD POLLUTION CONTROL (7/1/83)

Section IV. *POINT SOURCE CONTROL PROGRAM*

- A. SUMMARY (10/30/83)
- 1. Annual Review Report (10/30/83)
- B. STATE AIR QUALITY REGULATIONS (10/30/83)
- C. LOCAL PROGRAMS (10/30/83)
- D. DESCRIPTION OF SOURCE CATEGORIES AND POLLUTANTS
- 1. Typical Point Sources (10/30/83)
- 2. Summary of Major Emitting Facilities (10/30/83)
- E. POINT SOURCE CONTROL
- 1. Introduction (10/30/83)
- F. FACILITY REVIEW PROCEDURES
- 1. Who needs a permit? (10/30/83)
- 2. Standard Application Procedures (10/30/83)
- 3. PSD Application Procedures (10/30/83), Preliminary report and meeting (10/30/83), Pre-construction monitoring (10/30/83), PSD application format (10/30/83)
- 4. Nonattainment Application Procedures (10/30/83)
- G. APPLICATION REVIEW AND PERMIT DEVELOPMENT (10/30/83)
- 1. Application Review (10/30/83)
- 2. Permit Development Requirements (10/30/83), Monitoring and Testing Requirements (10/30/83), Ambient Monitoring (10/30/83), Continuous Emissions Monitoring (10/30/83), Source Testing (10/30/83)
- 3. Prevention of Significant Deterioration Review (10/30/83), Basis of Program (10/30/83), PSD Regulations (10/30/83), PSD Analysis Procedure (10/30/83)
- 4. Nonattainment Area Review (10/30/83)
- 5. New Source Performance Standards Source Review (10/30/83)
- 6. Visibility Review (10/30/83)
- 7. Sources under EPA Review (10/30/83)

- H. PERMIT ISSUANCE REQUIREMENTS (10/30/83)

Section V. *AMBIENT AIR MONITORING*

- A. PURPOSE (7/1/82)
- B. COMPLETED AIR MONITORING PROJECTS (7/1/82)
- 1. Carbon Monoxide (7/1/82)
- 2. Nitrogen Oxides (7/1/82)

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**SECTION V. AIR EPISODE PLAN (4/21/72)**

**TITLE 18. ENVIRONMENTAL  
CONSERVATION, CHAPTER 50. AIR  
QUALITY CONTROL (10/30/83)**

3. Section 52.96(a) is revised to read as follows:

**§ 52.96 Significant deterioration of air quality.**

(a) The State of Alaska Department of Environmental Conservation Air Quality Control Regulations (specifically 18 AAC 50.020, 50.021, 50.300, 50.400, 50.510, 50.520, 50.530, 50.600, 50.620, and 50.900) and the State air quality control plan (specifically Section I.B. AIR QUALITY CONTROL REGIONS, Section I.C. ATTAINMENT/NONATTAINMENT DESIGNATIONS, Section I.D. PREVENTION OF SIGNIFICANT DETERIORATION DESIGNATIONS, Section IV.F. FACILITY REVIEW PROCEDURES, Section IV.G. APPLICATION REVIEW AND PERMIT DEVELOPMENT, Section IV.H. PERMIT ISSUANCE REQUIREMENTS, Appendix IV.1. PSD Area Classification and and Reclassifications, and Appendix V ADEC Ambient Analysis Procedures) are approved as meeting the requirements of Part C for preventing significant deterioration of air quality.

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**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

**43 CFR 6530**

**[OR 19228, OR 19467, OR 22084]**

**Oregon; Revocation of Secretarial Orders of December 13, 1887, and September 20, 1890, Partial Revocation of the Executive Order of November 13, 1889**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Public land order.

**SUMMARY:** This order revokes two Secretarial orders in their entirety and an Executive order, in part, as they affect 1,805 acres of public land withdrawn for use by the Corps of Engineers for the Coos Bay North Jetty Project. This action will open 1,558 acres of land to surface entry and mining. Of the balance, 40 acres have been conveyed out of Federal ownership, 47 acres will be available for disposal by

land exchange only, and 160 acres lie within an overlapping withdrawal, also for the Coos Bay North Jetty Project, and will not be restored to surface entry or mining. The lands containing federally owned minerals have been and remain open to mineral leasing.

**EFFECTIVE DATE:** April 24, 1984.

**FOR FURTHER INFORMATION CONTACT:** Champ C. Vaughan, Jr., Oregon State Office, 503-231-6905.

**SUPPLEMENTARY INFORMATION:** By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 90 Stat. 2751; 43 U.S.C. 1714, it is ordered as follows:

1. The Secretarial Orders of December 13, 1887, and September 20, 1890, which withdrew lands for use by the U.S. Army Corps of Engineers for the Coos Bay North Jetty Project are hereby revoked in their entirety.

2. The Executive Order of November 13, 1889, which withdrew lands for the Coos Bay North Jetty Project is revoked insofar as it affects the following described lands:

Willamette Meridian

T. 25 S., R. 13 W.,

Sec. 4, fractional  $N\frac{1}{2}NW\frac{1}{4}$ ;

Sec. 5, fractional  $NW\frac{1}{4}NW\frac{1}{4}$  and  $NE\frac{1}{4}SE\frac{1}{4}$ ;

Sec. 6, lots 1, 2, 3, and 4,  $SE\frac{1}{4}NE\frac{1}{4}$ , and  $E\frac{1}{2}SE\frac{1}{4}$ ;

Sec. 7, lots 2, 3, and 4,  $NE\frac{1}{4}$ ,  $SE\frac{1}{4}NW\frac{1}{4}$ ,

$E\frac{1}{2}SW\frac{1}{4}$ ; fractional  $SW\frac{1}{4}SW\frac{1}{4}$ ,

$N\frac{1}{2}SE\frac{1}{4}$ , and  $SW\frac{1}{4}SE\frac{1}{4}$ ;

Sec. 18,  $NW\frac{1}{4}NE\frac{1}{4}$  and  $E\frac{1}{2}NW\frac{1}{4}$ .

T. 25 S., R. 14 W.,

Sec. 12, lot 1;

Sec. 13, lots 3 and 4;

Sec. 23, lot 1;

Sec. 24, lots 1, 2, 3, 5, 6, 7, and 8,  $NW\frac{1}{4}NE\frac{1}{4}$ , and  $NE\frac{1}{4}SW\frac{1}{4}$ ;

Sec. 25, lot 2;

Sec. 26, lots 4, 5, and 6.

The areas described in paragraphs 1 and 2 aggregate 1,805.52 acres in Coos County.

3. The  $NE\frac{1}{4}SE\frac{1}{4}$ , sec. 5, T. 25 S., R. 13 W., has been conveyed out of Federal ownership, and will not be restored to operation of the public lands laws, including the mining and minerals leasing laws.

4. The following land included in paragraph 1 remains withdrawn by the Executive Order of November 13, 1889, for use by the Corps of Engineers for the Coos Bay North Jetty Project and will not be restored to operation of the public land laws, including the mining laws.

Willamette Meridian

T. 25 S., R. 14 W.,

Sec. 13, lots 1, 2, and  $E\frac{1}{2}SE\frac{1}{4}$ .

The area described contains 160.00 acres in Coos County.

5. Effective immediately, the following described land will be available for disposal by land exchange only. This will facilitate a proposed land exchange between the Bureau of Land Management and the Port of Coos Bay. The land remains closed to operation of the other public land laws, including the mining laws:

Willamette Meridian

T. 25 S., R. 13 W.,

Sec. 7, those portions of the  $NE\frac{1}{4}SE\frac{1}{4}$  and  $SW\frac{1}{4}SE\frac{1}{4}$  lying south and east of the westerly right-of-way line of the existing Corps of Engineers road;

Sec. 18, that portion of the  $NW\frac{1}{4}NE\frac{1}{4}$  lying south and east of the westerly right-of-way line of the existing Corps of Engineers road.

The area described contains approximately 47.00 acres in Coos County.

6. At 8:30 a.m., on May 23, 1984, the lands described in paragraphs 1 and 2, except as provided in paragraphs 3, 4, and 5, will be opened to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 8:30 a.m., on May 23, 1984, will be considered as simultaneously filed at that time. Those received thereafter will be considered in the order of filing.

7. At 8:30 a.m., on May 23, 1984, the lands described in paragraphs 1 and 2, except as provided in paragraphs 3, 4, and 5, will be opened to location and entry under the United States mining laws. Appropriation of lands under the general mining laws prior to the date and time of restoration is unauthorized. Any such attempted appropriation, including attempted adverse possession under 30 U.S.C. 38, shall vest no rights against the United States. Acts required to establish a location and to initiate a right of possession are governed by State law where not in conflict with Federal law. The Bureau of Land Management will not intervene in disputes between rival locators over possessory rights since Congress has provided for such determinations in local courts.

The lands described in paragraphs 1, 2, and 4 except as provided in paragraph 3 have been and remain open to applications and offers under the mineral leasing laws.

Inquiries concerning the lands should be addressed to the Chief, Branch of Lands and Minerals Operations, Bureau of Land Management, P.O. Box 2985, Portland, Oregon 97208.