

U.S. 246, 256-66 (S. Ct. 1976); 42 U.S.C. 7410(a)(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by November 8, 1993. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

Executive Order 12291

This action has been classified as a table 2 action by the Regional Administrator under the procedures published in the *Federal Register* on January 19, 1989 (54 FR 2214-2225). On January 6, 1989, the Office of Management and Budget (OMB) waived tables 2 and 3 SIP revisions (54 FR 2222) from the requirements of section 3 of Executive Order 12291 for a period of two years. The EPA has submitted a request for a permanent waiver for table 2 and 3 SIP revisions. The OMB has agreed to continue the temporary waiver until such time as it rules on the EPA's request.

List of Subjects in 40 CFR Part 52

Air pollution control, Environmental protection, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Particulate matter, Reporting and recordkeeping requirements, Sulfur dioxide, Volatile organic compounds.

Note: Incorporation by reference of the SIP for the State of New Mexico was approved by the Director of the *Federal Register* on July 1, 1982.

Dated: August 23, 1993.

Joe D. Winkle,

Acting Regional Administrator (6A).

40 CFR Part 52 is amended as follows:

PART 52—[AMENDED]

1. The Authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401-7671q.

Subpart GG—New Mexico

2. Section 52.1620 is amended by adding paragraph (c)(50) to read as follows:

§ 52.1620 Identification of plan.

* * * * *

(c) * * *

(50) A revision to the New Mexico State Implementation Plan (SIP) addressing moderate PM-10 nonattainment area requirements for Anthony was submitted by the Governor of New Mexico by letter dated November 8, 1991. The SIP revision included, as per section 188(f) of the Clean Air Act, a request for a waiver of the attainment date for Anthony.

(i) Incorporation by reference.

(A) Revision to New Mexico Air Quality Control Regulation 301—*Regulation to Control Open Burning*, section I (definition of "open burning"), as filed with the State Records and Archives Center on February 7, 1983.

(ii) Additional material.

(A) November 8, 1991, narrative plan addressing the Anthony moderate PM-10 nonattainment area, including emission inventory, modeling analyses, and control measures.

(B) A letter dated October 29, 1991, from Judith M. Price, Dona Ana County Planning Director and Assistant County Manager, to Judith M. Espinosa, Secretary of the New Mexico Environment Department, in which the County committed to implement and enforce all Dona Ana County rules, regulations, policies and practices, including those identified in the draft PM-10 SIP which reduce airborne dust in the Anthony area. The Dona Ana County rules, regulations, policies and practices identified in the draft Anthony PM-10 SIP are identical to those identified in the final Anthony PM-10 SIP.

(C) A letter dated November 21, 1991, from Cecilia Williams, Chief, New Mexico Air Quality Bureau, to Gerald Fontenot, Chief, Air Programs Branch, EPA Region 6, expressing satisfaction with the October 29, 1991, commitment letter from Judith Price to Judith Espinosa.

(D) Anthony PM-10 SIP narrative from page 10 that reads as follows: "The State remains committed to the dust control measures implemented by Dona Ana County, moderate area control strategies as agreed to in this SIP submittal and to the established air quality monitoring schedule."

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40 CFR Part 52

[OR-22-1-5635; FRL-4150-2]

Approval and Promulgation of Implementation Plans; Oregon

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: In this action, Environmental Protection Agency (EPA) approves numerous amendments to the Lane Regional Air Pollution Authority's (LRAPA) rules for the control of air pollution in Lane County, Oregon as revisions to the Oregon state implementation plan (SIP). These revisions were submitted by the Director of the Oregon Department of Environmental Quality (ODEQ) on May 30, 1986; December 5, 1986; May 8, 1987; March 3, 1989; March 12, 1990; June 8, 1990; and November 15, 1991 in accordance with the requirements of section 110 of the Clean Air Act (hereinafter the Act). In accordance with Oregon statutes, LRAPA rules must be at least as stringent as the ODEQ statewide rules.

EFFECTIVE DATE: This action will be effective on November 8, 1993 unless notice is received by October 12, 1993 that someone wishes to submit adverse or critical comments. If the effective date is delayed, timely notice will be published in the *Federal Register*.

ADDRESSES: Written comments should be addressed to: Montel Livingston, SIP Manager, Air Programs Branch, AT-082, Environmental Protection Agency, 1200 Sixth Avenue, Seattle, Washington 98101.

Documents which are incorporated by reference are available for public inspection at the Public Information Reference Unit, Environmental Protection Agency, 401 M Street, SW, Washington, DC. Copies of material submitted to EPA may be examined during normal business hours at the following locations: Air & Radiation Branch, Environmental Protection Agency, Docket #OR22-1-5635, 1200 Sixth Avenue, AT-082, Seattle, Washington 98101, and Oregon Department of Environmental Quality, 811 S.W. Sixth, Portland, Oregon 97204.

FOR FURTHER INFORMATION CONTACT: David C. Bray, Air Programs Branch, AT-082, Environmental Protection Agency, 1200 Sixth Avenue, Seattle, Washington 98101, (206) 553-4253.

SUPPLEMENTARY INFORMATION:

I. Background

On May 30, 1986 the Director of the Oregon Department of Environmental Quality (ODEQ) submitted a completely revised and updated implementation plan for the State of Oregon. Included in this updated plan were then current rules for the Lane Regional Air Pollution Authority (LRAPA). Further revisions to the LRAPA rules were submitted by the Director of the ODEQ on December 5,