

08/28/1979

VOCFR0828791

**Category:** FR – Federal Register

**Federal Register, Vol. 44, No. 168, 50371-50371, 8/28/1979 (1305-8), "State Implementation Plans; General Preamble for Proposed Rulemaking on Approval of Plan Revisions for Nonattainment Areas – Supplement. (on Revised Schedules for Submission of Volatile Organic Compound RACT Regulations)"**

**Summary:** Provisions of the Clean Air Act enacted in 1977 requires States to revise their State Implementation Plans for all area that have not attained National Ambient Air Quality Standards. States are to have submitted the necessary plan revisions to EPA by January 1, 1979. The Agency is now publishing proposals inviting public comment on whether each of the submittals should be approved. In the April 4, 1979 issue of the Federal Register, EPA published a General Preamble identifying and summarizing the major consideration that will guide EPA's evaluation of the submittals (44 FR 20372). Today's Supplement provides information of the revised schedule for adoption of regulations for source categories emitting volatile organic compounds (VOC) covered by the second set of Control Technique Guidelines (CTG's).

Federal Register notice attached

rights, by the conversion of a security, by default of a loan where the qualifying employer security or qualifying employer real property was security for the loan, or in connection with the contribution of such securities or real property to the plan. However, an acquisition of a security shall not be deemed to have occurred if a plan acquires the security as a result of a stock dividend or stock split.

(c) *Sale.* For purposes of section 408(e) and this section, a sale of qualifying employer real property or qualifying employer securities shall include any disposition for value.

(d) *Adequate Consideration.* For purposes of section 408(e) and this section, adequate consideration means:

(1) In the case of a marketable obligation, a price not less favorable to the plan than the price determined under section 407(e)(1) of the Act; and

(2) In all other cases, a price not less favorable to the plan than the price determined under section 3(18) of the Act.

(e) *Commission.* For purposes of section 408(e) and this section, the term "commission" includes any fee, commission or similar charge paid in connection with a transaction, other than the underwriter's margin when a purchase is made from an underwriter who assumes the risks of market fluctuations after the award date.

Signed at Washington, D.C., this 22nd day of August, 1979.

Ian D. Lanoff,

*Administrator, Pension and Welfare Benefit Programs, Labor-Management Services Administration, U.S. Department of Labor.*

[FR Doc. 79-26538 Filed 8-22-79; 12:56 pm]

BILLING CODE 4510-29-M

## ENVIRONMENTAL PROTECTION AGENCY

### [40 CFR Part 52]

[FRL 1305-8]

**State Implementation Plans; General Preamble for Proposed Rulemaking on Approval of Plan Revisions for Nonattainment Areas—Supplement (on Revised Schedules for Submission of Volatile Organic Compound Ract Regulations)**

**AGENCY:** Environmental Protection Agency.

**ACTION:** General Preamble for proposed rulemaking—Supplement.

**SUMMARY:** Provisions of the Clean Air Act enacted in 1977 requires States to revise their State Implementation Plans for all areas that have not attained

National Ambient Air Quality Standards. States are to have submitted the necessary plan revisions to EPA by January 1, 1979. The Agency is now publishing proposals inviting public comment on whether each of the submittals should be approved. In the April 4, 1979 issue of the Federal Register, EPA published a General Preamble identifying and summarizing the major considerations that will guide EPA's evaluation of the submittals (44 FR 20372). Today's Supplement provides information on the revised schedule for adoption of regulations for source categories emitting volatile organic compounds (VOC) covered by the second set of Control Technique Guidelines (CTGs).

**FOR FURTHER INFORMATION CONTACT:** The appropriate EPA Regional Office listed on the first page of the General Preamble (44 FR 20372) or the following Headquarters office: G. T. Helms, Chief, Control Programs Operations Branch, Control Programs Development Division, EPA Office of Air Quality Planning and Standards (MD-15), Research Triangle Park, North Carolina 27711, (919) 541-5365 or 541-5228.

**SUPPLEMENTARY INFORMATION:** The background is set out at length in the April 4 General Preamble. This Supplement address an issue that needs explanation.

The Administrator's memorandum of February 24, 1978, published in the Federal Register at 43 FR 21673 (May 19, 1978), stated that the 1979 plan submission for ozone nonattainment areas, . . . must include, as a minimum, legally enforceable regulations to reflect the application of reasonably available control technology (RACT) to those sources for which EPA has published a Control Technique Guideline (CTG) by January 1978, and provide for the adoption and submittal of additional legally enforceable RACT regulations on an annual basis beginning in January 1980 for those CTGs that have been published by January of the preceding year."

It is now apparent that the regulatory adoption process may be more lengthy than first anticipated. Additional time may be necessary to accommodate public, administrative, and legislative review. In order to realistically address this problem, yet to continue meeting our responsibilities to attain the ambient standards as expeditiously as practicable, EPA is revising by six months the deadlines for submittal of the RACT regulations for the second set of CTGs. The SIPs should now provide for the adoption and submittal of additional legally enforceable

regulations by July 1, 1980 for the following source categories:

Factory Surface Coating of Flatwood Paneling  
Petroleum Refinery Fugitive Emission (Leaks)  
Pharmaceutical Manufacture  
Rubber Tire Manufacture  
Surface Coating of Miscellaneous Metal Parts and Products  
Graphic Arts (Printing)  
Dry Cleaning, Perchloroethylene  
Gasoline Tank Trucks, Leak Prevention  
Petroleum Liquid Storage, Floating Roof Tanks

If this revision to the adoption schedule of RACT regulations requires alteration of any comments on a plan for which the comment period has already ended, the commenter should contact the appropriate EPA Regional Office immediately so that the issue can be appropriately dealt with.

**Note.**—Under Executive Order 12044 EPA is required to judge whether a regulation is "significant" and, therefore, subject to the procedural requirements of the order or whether it may follow other specialized development procedures. EPA labels these other regulations "specialized." I have reviewed this regulation and determined that it is a specialized regulation not subject to the procedural requirements of Executive Order 12044. [Secs. 110(a), 172, Clean Air Act, as amended (42 U.S.C. 7410(a), 7502)].

Dated: August 21, 1979.

Edward F. Tuerk,

*Acting Assistant Administrator for Air, Noise, and Radiation.*

[FR Doc. 79-26738 Filed 8-27-79; 8:45 am]

BILLING CODE 6540-01-M

## FEDERAL COMMUNICATIONS COMMISSION

### [47 CFR Parts 63 and 64]

[CC Docket No. 78-95; CC Docket No. 78-96; FCC 79-481]

**Graphnet Systems, Inc.; Regulatory Policies Concerning the Provision of Domestic Public Message Services by Entities Other Than the Western Union Telegraph Co.**

**AGENCY:** Federal Communications Commission.

**ACTION:** Order on Reconsideration released in CC Dockets 78-95/96, *Domestic Public Message Services.*

**SUMMARY:** The Commission clarified its decision in *Domestic Public Message Services*, 71 FCC 2d 471 (1979), by saying that the earlier decision did not apply to service in Alaska. Acting on a reconsideration request, the Commission also found that certain provisions in the contracts between Graphnet Systems, Inc. and three international record