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**Category:** FR – Federal Register

**Federal Register, Vol. 45, No. 246, 83546-83548, 12/19/1980, "Approval and Promulgation of Implementation Plans; Colorado."**

**Summary:** The purpose of this is to propose approval of revision to the Colorado State Implementation Plan (SIP) for alternative emission reduction or "bubble" for Coors Container Company's Paper Packaging Facility printing presses located in Boulder.

public review. Also, during the comment period, the Secretary is soliciting comments from the Administrator of the Environmental Protection Agency, the Secretary of Agriculture, and the heads of other federal agencies.

Because of the brevity of the public comment period and the difficulty of keeping the public abreast of supplements to State's resubmission, OSM will keep a list of those wishing to be contacted if the State modifies the resubmission during the public comment period and will telephone these people to inform them of any supplements to the resubmission.

Subsequent to the public hearing and review of all comments the Regional Director will transmit to the Director, a recommended decision along with a record composed of the hearing transcript, written presentations, exhibits, and copies of all public comments.

Upon receipt of the Regional Director's recommendation, the Director will consider all relevant information in the record and will recommend to the Secretary that those portions of the program that were not approved in the Secretary's initial decision now be approved or disapproved or conditionally approved. The recommendation will specify the reasons for the decision. The procedures for the recommended decisions of the Regional Director and the Director to the Secretary are established in 30 CFR 732.12(d) and (e) (44 FR 15326-15327). For further details, refer to 30 CFR 732.12 and 732.13 of the permanent regulatory program (44 FR 15326-15327) and corresponding sections of the preamble (44 FR 14959-14961).

The Secretary's decision on the program as resubmitted will constitute the final decision by the Department. If the revised program is approved, the State of West Virginia will have primary jurisdiction for the regulation of coal mining and reclamation and coal exploration on non-federal lands in West Virginia. If the revised program is approved, the Secretary and the Governor may also enter into a cooperative agreement governing regulation of these activities on federal lands in West Virginia. Such an agreement would be the subject of a separate rulemaking and Federal Register notice. If the revised program is disapproved, a federal program will be implemented and OSM will have primary jurisdiction for the regulation of the above activities in West Virginia. To codify decisions on state programs, federal programs, and other matters affecting individual states, OSM has established Subchapter T of 30 CFR,

Chapter VII. Subchapter T will consist of Parts 900 through 950. Provisions relating to West Virginia will be found in 30 CFR Part 948 after West Virginia's resubmission has been approved or disapproved.

At the public hearing, parties wishing to comment on the proposed program will be asked to register for placement on the speaker's agenda. In addition, due to the extremely short review time provided to the Department it would be greatly appreciated if written copies of all presentations could be provided at the hearing.

The Regional Director has prescribed the following hearing format and rules of procedure in accordance with 30 CFR 732.12(b)(1) (44 FR 15326):

1. The hearing shall be informal and follow legislative procedures.
2. Based on the number in attendance, each participant may be limited to 10 minutes.
3. Participants will be called in the order in which they register.

Public participation in the review of state programs is a vital component in fulfilling the purposes of SMCRA. On September 19, 1979, OSM published guidelines in the Federal Register (44 FR 54444-54445) governing contacts between the Department of the Interior and both state officials and members of the public. It is hoped that issuance of these guidelines will encourage full cooperation by all affected persons with the procedures being implemented.

Interested members of the public are encouraged to read the Secretary's partial approval of the initial West Virginia program submission published in the Federal Register on October 20, 1980 (45 FR 69242-69271). That document contains detailed findings and explanations relating to the parts of the initial submission which were specifically approved and disapproved. Unless a change has been made to a part of the program previously approved, the Secretary will only consider comments relating to those portions previously disapproved or to any portions appearing in the program for the first time.

Set forth below is a summary of the contents of the resubmission:

1. State Regulations.
2. Other Related State Laws.
3. Legal Opinion of the State Attorney General.
4. Structural Organization—Staffing Functions.
5. Narrative Description for:
  - a. Issuing Exploration and Mining Permits.
  - b. Bonding—Insurance.
  - c. Inspecting and Monitoring.

d. Enforcing the Administrative, Civil and Criminal Sanctions.

e. Administering and Enforcing Permanent Program Standards.

f. Assessing and Collecting Civil Penalties.

g. Designating Lands Unsuitable for Mining.

h. Providing for Public Participation.

i. Providing Administrative and Judicial Review.

6. Statistical Information.

7. Summary of Staff with Titles, Functions, Job Experience and Training.

8. Description of Staffing Adequacy.

9. Budget Information.

No Environmental Impact Statement is being prepared in connection with the process leading to the approval or disapproval of the proposed West Virginia program. Under Section 702(d) of SMCRA [30 U.S.C. Section 1292(d)] approval does not constitute a major action within the meaning of Section 102(2)(c) of the National Environmental Policy Act of 1979 (42 U.S.C. 4332).

Patrick B. Boggs,  
Regional Director.

[FR Doc. 80-39469 Filed 12-18-80; 8:45 am]

BILLING CODE 4310-05-M

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[A8 FRL 1708.4]

#### Approval and Promulgation of State Implementation Plans; Colorado

AGENCY: Environmental Protection Agency.

ACTION: Proposed rulemaking.

**SUMMARY:** The propose of this notice is to propose approval of revision to the Colorado State Implementation Plan (SIP) for alternative emission reduction or "bubble" for Coors Container Company's Paper Packaging Facility printing presses located in Boulder.

**DATE:** Comments are due by January 19, 1981.

**ADDRESSES:** Copies of the SIP revision and any comments received are available at the following addresses for inspection:

Environmental Protection Agency, Air Programs, Branch, Region VIII, Suite 200, 1860 Lincoln Street, Denver, Colorado 80295

Environmental Protection Agency, Public Information Reference Unit, Room 2922 (EPA Library), Mail Code PM-213, 401 M Street, S.W., Washington, D.C. 20460

Written comments should be sent to: Robert R. DeSpain, Chief, Air Programs,

Branch, Region VIII, 1860 Lincoln Street, Denver, Colorado 80295, (303) 837-3471

**FOR FURTHER INFORMATION CONTACT:**  
Eliot Cooper, Air Programs Branch,  
Environment Protection Agency, 1860  
Lincoln Street, Denver, Colorado 80295,  
(303) 837-3711

**SUPPLEMENTARY INFORMATION:**

**Background**

On May 13, 1980, the Colorado Air Quality Hearings Board conducted a public hearing to consider a request of Coors Container Company to revise the SIP to exempt two printing presses operated by Coors at its Boulder paper packaging facility from the daily emission limitation for volatile organic compounds (VOC) contained in the Air Quality Control Commission Regulation No. 7, Section VII.B.2.c., and instead to subject the two presses to a single total daily emission limitation, "bubble," not involving an increase in total emissions allowed from the printing operation.

In accordance with evidence presented during the hearing, the Board made the following *Findings of Fact* to support its decision:

1. Coors owns and operates two printing presses at its Boulder, Colorado, paper packaging facility. The facility is located in a designated non-attainment area for the National Ambient Air Quality Standards for ozone. The smaller of the two printing presses, the twenty-six-inch press, is operated to print labels for Coors' products, and the larger forty-four-inch press is operated to print cartons for its products.

2. The two presses print with materials which emit VOC's into the atmosphere as defined in Air Quality Control Commission Common Regulation No. 7, section VII.A.1. The potential emission rate for each press when operated at maximum operating capacity could exceed 3,000 pounds of VOC per day. However, Coors limits the operations of the two presses as a measure to insure that emissions of VOC do not exceed the applicable emission limitations contained in Regulation No. 7, section VII, B.2.c., of 450 pounds per hour and 3000 pounds per day individually.

3. Sampling tests of the Coors presses demonstrate that emissions of VOC from the presses are directly proportional to the amount and type of materials printed. An accurate and acceptable method of determining actual emissions from the subject presses are the following equations based on the quantity of materials printed and the emission rate (stated in terms of pounds of VOC per thousand units of printed materials) for a specific printed product.

Emission rates for the following products are calculated to be:

	Emission rate <sup>1,2</sup>
Banquet Can Wrap, 6-up	0.31
Banquet 12-pack, 3-up	.87
Banquet Bottle Carrier, 2-up	.63
Light Can Wrap:	
4-up	1.55
6-up	1.55
Light Bottle Carrier:	
2-up Lacquered	2.02
Non-lacquered <sup>3</sup>	.95
Banquet Bottle Labels, 56-up	.63
Light Bottle Labels, 42-up	.14

<sup>1</sup> Pounds of Volatile organic compounds based on total hydrocarbons expressed as hexane.

<sup>2</sup> Pounds VOC/ thousand units of product.

<sup>3</sup> Non-lacquered requires use of no-wash silver ink.

To determine actual total emissions from production records utilizing the above data: multiply total production per hour or per day by the appropriate emissions rate.

4. If the requested SIP revision were not granted, Coors advises, that, by 1982, meeting projected product demand would cause emissions to increase to 3000 pounds of VOC per day per unit as a result of increased operation of the presses to the maximum rates allowed under Regulation No. 7, Section VII.B.2.c. If granted, average actual emissions may increase in the interim above what they would be were the revision denied; however, such increased emissions would never exceed total allowable emissions.

5. The Air Pollution Control Division is authorized by C.R.S. 1973, 25-7-711(2)(c) to inspect and copy the records of Coors relating to emissions of air pollutants, including those relating to the two subject printing presses which show their operation rates, operating times, product per footage rates, emission rates and other data required to determine their daily VOC emissions and compliance with this decision.

Upon formal motion and by majority vote, the Board ordered the application of Coors for a revision to the SIP providing for an alternate means for Coors' two printing presses at its Boulder, Colorado paper packaging facility to comply with Air Quality Control Commission Regulation No. 7, Section VII.B.2.c., be granted and the "Revision of Limited Applicability to Colorado Air Quality Control Commission Regulation No. 7," which was made a part of the decision and order, adopted. The applicability to the two subject printing presses of the hourly emission limitations contained in Regulation No. 7, Section VII.B.2.c., was not modified.

The Hearings Board modified Regulation No. 7 as follows:

Revision of Limited Applicability to Colorado Air Quality Control Commission Regulation No. 7

Air Quality Control Commission Regulation No. 7, Section VII.B.2.c., is hereby modified as follows:

In lieu of meeting the daily emission limitations of Section VII.B.2.c. of Air Quality Control Commission Regulation No. 7, Coors Container Company may elect to simultaneously operate the 26-inch printing press and the 44-inch printing press which it owns and operates at its Boulder, Colorado, paper packing facility so as to comply with the emission limitations which satisfy the following equation:

$E26 + E44 \leq 6000$  pounds per day

where E26 is the emission limitation (pounds of VOC per day) for the 26-inch printing press and E44 is the emission limitation (pounds of VOC per day) for the 44-inch printing press; PROVIDED THAT Coors shall be required to maintain accurate records of the amounts of products printed on each press, the types of inks used for such printings, the operation rate of each press for such printings, and the time period for which each press was operated for such printings. Such records shall be kept current and shall be retained for a period of one year after the date of printing shown by the record. The maximum emission from either press shall not exceed 5000 pounds/day of VOC emissions.

On August 25, 1980, the Governor of Colorado submitted a site specific revision to the SIP for Coors for alternative emission reduction, "bubble," for their printing presses.

**EPA**

EPA requests comments and is proposing to approve this SIP revision since it has met the conditions of our December 11, 1979, "bubble" policy statement (44 FR 71780) as follows:

1. Eligibility, Demonstration of Attainment by Statutory Deadlines: Coors is located in Boulder, which is in the Denver ozone nonattainment area. Ordinarily, the bubble policy would not be applicable in this situation. However, with attainment projected by December 31, 1987, the statutory deadline. While Regulation 7.VII.B.2.c. is not an emission limit equivalent to that contained in EPA's Group II Control Techniques Guidelines (CTG) for graphic arts—rotogravure: Coors' presses will be subject to these new emissions requirements in early 1981. Therefore, this "bubble" is an interim emission limit between the current "Rule 66" type regulation and the rotogravure emission limit requirements. The new requirements will probably void the provisions of this SIP revision since it requires high solids technology or control equipment to comply.

2. Effect of Compliance Status—Coors is currently in compliance with the Regulation 7.VII.B.2.c.

3. Conditions for Using Alternative Approach, Air Quality Considerations: All emissions under the alternative approach must be quantifiable, and trades among them must be even—Sampling tests of the Coors presses demonstrate that emissions of VOC from the presses are directly proportional to the amount and type of materials printed. The method for determining actual emissions from the subject presses are equations based on the quality of materials printed and the emission rate for a specific printed product. (See 3 under *Findings of Fact*.)

4. The pollutants under the alternate proposal must be comparable—VOC's are being traded and which none of these specifically pose significant health hazards.

5. Enforcement Considerations, specific enforceable control requirements are mandatory—The "bubble" contains enforceable, specific emission limits, which are equally as enforceable as the existing requirements.

6. Existing SIP provisions submitted under section 110 must not be replaced—This alternative control strategy is in addition to the SIP, not a replacement, and therefore is consistent with EPA's guidance regarding continuity.

7. Summary of Comments, Actual versus SIP allowable emission limits—Although the 24-inch press is emitting a lesser amount of pollutants than the Regulation 7.VII.B.2.c allows, Coors has stated that if the requested SIP revision were not granted, meeting projected product demand would cause emissions to increase to 3000 pounds of VOC per day per unit by 1982 as a result of increased operation of the presses to the maximum rates allowed under Regulation No. 7, Section VII.B.2.c. If granted, average actual emissions may increase in the interim above what they would be were the revision denied; however, such increased emissions would never exceed total allowable emissions. The Colorado SIP emission inventory is based on allowable emissions. Therefore, EPA feels that even though this alternative approach would allow an increase to 6000 pounds of VOC per day, this interim increase would not interfere with reasonable further progress towards attainment in Boulder or in the Denver metropolitan area.

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.

This notice of proposed rulemaking is issued under the authority of Section 110 of the Clean Air Act as amended (42 USC 7410).

Dated: November 25, 1980.

Roger L. Williams,  
Regional Administrator.

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## DEPARTMENT OF LABOR

### 41 CFR Part 29-1

#### Public Contracts, Property Management; Small and Disadvantaged Business Program

AGENCY: Department of Labor.

ACTION: Proposed rule.

**SUMMARY:** The purpose of this proposed revision to the Department of Labor Procurement Regulations (DOLPR) is to establish current regulations regarding the Department's small and disadvantaged business program, consistent with the new law (Pub. L. 95-507) and its implementation by The Office of Federal Procurement Policy (OFPP), and to establish policies and procedures for the Department's minority business enterprise program. It proposes to formally assign to the Office of Small and Disadvantaged Business Utilization, under the Office of the Under Secretary, responsibility for administering and managing the programs under Section 8(a) and 15 of the Small Business Act, as amended, and the minority business program; changes the names of the small business program to small and disadvantaged business program; updates procedures for carrying out the goals of the programs and sets out the duties of official personnel to be involved in the programs.

The Department of Labor has determined that the proposal in this document is not a major regulation that requires the preparation of a regulatory analysis; within the meaning of Executive Order 12044 and the Department's guidelines published at 44 FR 5570.

**DATE:** Written comments concerning these proposed regulations are invited and must be received on or before February 17, 1981.

**ADDRESS:** All comments shall be submitted in writing to Walter C. Terry, Director, Office of Small and Disadvantaged Business Utilization, U.S.

Department of Labor, Room S-1325, 200 Constitution Avenue, NW., Washington, D.C. 20210.

**FOR FURTHER INFORMATION CONTACT:**  
Mr. Walter C. Terry (202) 523-9148 or  
Mrs. Katherine M. Lee (202) 523-9151.

Accordingly, it is proposed to amend Part 29-1 of Title 41 of the Code of Federal Regulations by removing Subpart 29-1.7 in its entirety and by substituting it with a new Subpart 29-1.7; and to add two new entries, Subparts 29-1.8 and 29-1.13, to read as follows:

### PART 29-1—GENERAL

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#### Subpart 29-1.7—Small and Disadvantaged Business Concerns

- Sec.  
29-1.700 General.  
29-1.701 Definitions.  
29-1.701-1 Disadvantaged business concerns.  
29-1.702-50 General policy.  
29-1.704 Agency program direction and operation.  
29-1.704-1 DOL headquarters.  
29-1.704-2 DOL agency heads.  
29-1.704-3 DOL procuring activities.  
29-1.704-4 Small and disadvantaged business specialists.  
29-1.704-5 Responsibilities of the procurement office.  
29-1.704-6 Responsibilities of the program office.  
29-1.704-50 Goals.  
29-1.705 Cooperation with the Small Business Administration.  
29-1.708 Procurement set-asides for small business.  
29-1.708-1 General.  
29-1.708-3 Withdrawal or modification of set-asides.  
29-1.708-50 Procurement set-asides for small business when an SBA representative is not available.  
29-1.708-51 General.  
29-1.708-52 Review of set-aside recommendations initiated by small and disadvantaged business specialists.  
29-1.708-54 Small business set-asides for proposed procurements.  
29-1.708 Certificate of competency program.  
29-1.708-2 Applicability and procedures.  
29-1.710 Subcontracting with small and disadvantaged business concerns.  
29-1.710-1 General.  
29-1.710-3 Required clauses.  
29-1.713 Contracts with the Small Business Administration.  
29-1.713-1 Authority.  
29-1.713-2 Policy.  
29-1.713-50 Procurement of technical requirements.  
29-1.750 Business opportunity conferences.

#### Subpart 29-1.8—Labor-Surplus Area Concerns

- 29-1.802 Labor-surplus area policy.  
29-1.802-1 General policy.  
29-1.802-50 Specific policies.