division, or changes in the functions or duties of persons occupying the principal offices within the structure of the program. DNR and OSM shall advise each other in writing of changes in the location of offices, addresses, telephone numbers, and changes in the names, location and telephone numbers of their respective mine inspectors and the area within the State for which such inspectors are responsible.

Article XV: Reservation of Rights

In accordance with 30 CFR 745.13, this Agreement shall not be construed as waiving or preventing the assertion of any rights that have not been expressly addressed in this Agreement that the State or the Secretary may have under other laws or regulations. (Pub. L. 95–87 (30 U.S.C. 1201 et seq.))

Dated: February 16, 1984.

William Clark,

Secretary of the Interior.

Dated: February 24, 1984.

John D. Rockefeller IV,

Governor of West Virginia.

[FR Doc. 84–6229 Filed 3–8–84; 8:45 am]

BILLING CODE 4310–05–M

DEPARTMENT OF AGRICULTURE

Forest Service

36 CFR Part 223

Sale and Disposal of National Forest System Timber; Correction

AGENCY: Forest Service, USDA.

ACTION: Final rule; redesignation; correction.

SUMMARY: The Department of Agriculture retitled and redesignated its regulations at 36 CFR Part 223 governing Sale and Disposal of National Forest System Timber in a document published Monday, January 23, 1984 (49 FR 2760). Portions of Part 223 were inadvertently omitted from the redesignation table. This document corrects the redesignation table to reflect the omissions.

FOR FURTHER INFORMATION CONTACT: Marian Connolly, Forest Service Federal Register Liaison Officer, 202–235–1488.

PART 223—[CORRECTED]

1. The authority citation for Part 223 reads:

Authority: Sec. 14, Pub. L. 94–588, 90 Stat. 2958, 16 U.S.C. 472a, unless otherwise noted.

2. The entries designated below, appearing in the redesignation table on pages 2760 and 2761, are corrected as shown:

Entry	Former part 223 section designation	New part 223 section designation
	. . .	. .
12	223.1(h) introductory text, (1)–(3).	223.12 introductory text, (a)–(c).
	. . .	. .
15	223.3(a) introductory text, (1)–(8).	223.30 introductory text, (a)–(h).
	. . .	. .
28	223.3(m)(1) 4th sentence, (i)–(iii).	223.43(a) introductory text, (1)–(3).
	. . .	. .
39	223.3(p) introductory text, (1)–(3).	223.48 introductory text, (a)–(c).
	. . .	. .
44	223.4(e) introductory text, (1)–(4).	223.64 introductory text, (a)–(d).
	. . .	. .
50	223.5(d) introductory text, (1)–(6).	223.83 introductory text, (a)–(h).
51	223.5(e) introductory text, (1)–(7).	223.84 introductory text, (a)–(g).
52	223.5(f) introductory text, (1)–(3).	223.85 introductory text, (a)–(c).
	. . .	. .
54	223.5(h)(1) introductory text, (i) and (ii).	223.87(a) introductory text, (1) and (2).
55	223.5(h)(2) introductory text, (i)–(iii)(c).	223.87(b) introductory text, (1)–(3)(iii).
	. . .	. .
57	223.5(h)(4) introductory text, (i) and (ii).	223.87(d) introductory text, (1) and (2).
58	223.5(i) introductory text, (1)–(4).	223.88 introductory text, (a)–(d).
	. . .	. .
61	223.7(a) introductory text, (1)–(5).	223.100 introductory text, (a)–(e).
	. . .	. .
66	223.8(b) introductory text, (1)–(4).	223.111 introductory text, (a)–(d).
	. . .	. .
69	223.8(e) introductory text, (1) and (2).	223.114 introductory text, (a) and (b).
70	223.8(f) introductory text, (1) and (2).	223.115 introductory text, (a) and (b).
	. . .	. .
72	223.10(a) introductory text, (1)–(10).	223.160 introductory text, (a)–(j).
	. . .	. .
75	223.10(d) introductory text, (1)–(3).	223.163 introductory text, (a)–(c).
	. . .	. .
77	223.11	223.117.

Dated: March 2, 1984.

Douglas W. MacCleery,

Deputy Assistant Secretary for Natural Resources and Environment.

[FR Doc. 84–6493 Filed 3–8–84; 8:45 am]

BILLING CODE 3410–11–M

VETERANS ADMINISTRATION

38 CFR Part 21

Veterans Education; Educational Loan Forgiveness

AGENCY: Veterans Administration.

ACTION: Final regulations.

SUMMARY: The VA (Veterans Administration) is canceling regulations dealing with loan forgiveness through accelerated payment of educational assistance allowance. The law required that by January 1, 1983 States or local governmental units which wanted to participate in the loan forgiveness program must have established a matching program. None did so. The law allows the loan forgiveness program to operate only if there is participation by States or local governmental units. This cancellation will make clear that veterans and eligible persons may not receive education loan forgiveness through accelerated payments.

EFFECTIVE DATE: February 24, 1984.

FOR FURTHER INFORMATION CONTACT: June C. Schaeffer (225), Assistant Director for Policy and Program Administration, Education Service, Department of Veterans Benefits, Veterans Administration, 810 Vermont Avenue NW., Washington, D.C. 20420 (202–389–2092).

SUPPLEMENTARY INFORMATION: On pages 50568 and 50569 of the **Federal Register** of November 2, 1983 there was published a notice of intent to amend part 21 to remove all references to education loan forgiveness through accelerated payments.

Interested people were given 33 days to submit comments, suggestions or objections. The VA received no comments, suggestions or objections. Accordingly, the agency is canceling these regulations.

The VA has determined that the canceled regulations are not major rules as that term is defined by Executive Order 12291, entitled, "Federal Regulation". The annual effect on the economy will be less than $100 million. The cancellation will have no significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

The Administrator of Veterans' Affairs hereby certifies that the cancellation of these regulations will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act (RFA), 5 U.S.C. 601–612. Pursuant to 5 U.S.C. 605(b), this cancellation, therefore, is exempt from the initial and final regulatory flexibility analyses requirements of sections 603 and 604. This certification can be made because no education loan forgiveness has ever occurred. Hence canceling the requlations that provide for education loan forgiveness will have no economic impact whatever.

The Catalog of Federal Domestic Assistance numbers for the programs affected by this cancellation of regulations are 64.111 and 64.117.

List of Subjects in 38 CFR Part 21

Civil rights, Claims, Education, Grant programs—education, Loan programs—education, Reporting and recordkeeping requirements, Schools, Veterans, Vocational education, Vocational rehabilitation.

Approved: February 24, 1984.

By direction of the Adminstrator.

Everett Alvarez, Jr.,

Deputy Administrator.

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

The Veterans Administration amends 38 CFR Part 21 as set forth below:

§ 21.1045 [Amended]

1. In § 21.1045, paragraph (j) is removed.

§ 21.4502 [Amended]

2. In § 21.4502, paragraph (c) is removed.

§ 21.4506 [Removed]

3. Section 21.4506 is removed.

[FR Doc. 84-6336 Filed 3-8-84; 8:45 am]

BILLING CODE 8320-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-5-FRL 2540-3]

Approval and Promulgation of Implementation Plans; Wisconsin

AGENCY: U.S. Environmental Protection Agency.

ACTION: Final rulemaking.

SUMMARY: This rulemaking action addresses the 1982 State Implementation Plan (SIP) revision submitted to EPA by the State of Wisconsin Department of Natural Resources (WDNR), pursuant to the Part D requirements of the Clean Air Act (Act). Part D of the Act requires that plans be submitted by July 1, 1982, in order to demonstrate attainment of the ozone and carbon monoxide (CO) National Ambient Air Quality Standards (NAAQS) in nonattainment areas with approved attainment date extensions. On June 28, 1982, the WDNR submitted its 1982 ozone and CO SIP revision in draft form to EPA. EPA's review of this plan revealed several deficiencies. On February 3, 1983, EPA published a **Federal Register** notice (48 FR 5103) proposing to disapprove the draft plan. Within the February 3, 1983, rulemaking action, EPA noted that if Wisconsin's final plan showed that the State had remedied the deficiencies cited in the proposed rule, then EPA would publish a final rule approving the plan and incorporating it into the SIP. WDNR submitted its final plan to EPA on March 8, 1983.

In today's action, EPA is approving the ozone attainment demonstration for the seven-county ozone nonattainment area in Southeastern Wisconsin. EPA is also approving the State's commitment and schedule for adopting future volatile organic compound emission controls (RACT III and major non-control technique guideline (CTG) sources). Lastly, EPA is approving the CO attainment demonstration for the Milwaukee area. EPA is deferring final action on the vehicle inspection and maintenance element of the SIP submittal.

EFFECTIVE DATE: April 9, 1984.

ADDRESSES: Copies of this revision to the Wisconsin SIP are available for inspection at: The Office of the Federal Register, 1100 L Street, NW., Room 8401, Washington, D.C. 20408.

Copies of the SIP revision, public comments on the notice of proposed rulemaking, and other materials relating to this rulemaking are available for inspection at the following addresses: (It is recommended that you telephone Gary Gulezian at (312) 886-6258, before visiting the Region V Office).

U.S. Environmental Protection Agency, Air and Radiation Branch, Region V, 230 South Dearborn Street, Chicago, Illinois 60604;

U.S. Environmental Protection Agency, Public Information Reference Unit, 401 M Street, SW., Washington, D.C. 20460; and

Wisconsin Department of Natural Resources, Bureau of Air Management, 101 South Webster, Madison, Wisconsin 53707.

FOR FURTHER INFORMATION CONTACT: Gary Gulezian, Chief, Regulatory Analysis Section (5AR-26), Environmental Protection Agency, Region V, Chicago, Illinois 60604, (312) 886-6258, FTS 8-886-6258.

SUPPLEMENTARY INFORMATION:

I. Background

On June 28, 1982, the WDNR submitted a draft of the 1982 revision to Wisconsin's ozone/CO SIP to EPA. This draft was used as the basis for a State and local public hearing held on October 26, 1982. EPA's proposed rule on the adequacy of the plan was published in the **Federal Register** on February 3, 1983 (48 FR 5103). EPA also prepared comments, which contained EPA's evaluation of the draft plan, and forwarded them to WDNR in a letter dated October 26, 1982.

Within the February 3, 1983, rulemaking action, EPA noted that several portions of the plan contained major deficiencies and deviated from EPA policy on the preparation of 1982 SIP revisions. Specifically, EPA noted the following items: (1) An inadequate demonstration of attainment of the ozone National Ambient Air Quality Standard (NAAQS) in the Milwaukee demonstration area; (2) Nonimplementation of a vehicle inspection and maintenance (I/M) program by the required implementation date of January 1, 1983; (3) Lack of commitment for a submittal of reasonably available control technology (RACT) regulations for stationary sources; and, (4) Deviations from EPA policy and guidance cited in the October 26, 1982, comment letter to the State. Furthermore, EPA noted that, if Wisconsin substantially changed the draft plan, except to remedy the specific deficiencies and deviations cited above, EPA would have to re-evaluate the plan and publish a revised notice of proposed rulemaking.

EPA has determined that the final 1982 ozone and CO SIP revision, submitted to EPA on March 8, 1983, acceptably addresses the deficiencies and deviations cited in the proposed rule, except for the I/M element. Thus, EPA is taking final action, without reproposal, on all portions of the final SIP revision, with the exception of the I/M element.

Wisconsin's 1982 ozone and CO SIP revision does contain a commitment to implement an I/M program commencing April 1, 1984. EPA notes that Wisconsin is progressing toward implementation of the program. However, the State has failed to fully implement its program as of December 31, 1932, as required by the 1979 SIP revisions, which were approved in order to meet the 1979 planning deadline under Section 172 of the Act. Therefore, on August 3, 1983 (48 FR 35327), EPA proposed to find that Wisconsin is no longer implementing its approved ozone and CO SIP in the Milwaukee area, and to limit Federal assistance and impose a construction moratorium on new and existing stationary sources under Sections 176(b) and 173(4) of the Act.

After review and evaluation of public comment on the August 3, 1983, proposal, EPA will make a determination on the adequacy of Wisconsin's progress toward implementation of its I/M program. Thus, in today's rule, EPA is taking no action on the I/M element of Wisconsin's 1982 Ozone and CO SIP revision. EPA notes that Wisconsin is

progressing toward implementation of an I/M program through site acquisition and construction. However, before EPA can finally approve this element of the SIP, Wisconsin must fully implement its I/M program, and must promulgate and submit administrative rules detailing the operational parameters of the I/M program.

The results of EPA's review of the final SIP revision are summarized below. A technical support document, entitled "Final Review of Wisconsin's 1982 Ozone/Carbon Monoxide State Implementation Plan," contains a complete discussion of EPA's review. This document is available at the EPA offices listed in the Address section of this notice.

Additional background information on today's rulemaking can be found in the February 3, 1983 (47 FR 5103) Federal Register.

II. Public Comment Discussion

A 45-day public comment period was provided for EPA's proposed disapproval of the draft plan. During the comment period EPA received several public comments, in addition to the final SIP revision from the State. The Agency's evaluation of these comments is summarized below.

Comment: Representatives from three local governments expressed concern over the potentially significant negative impacts of ozone and ozone precursor transport, from the Chicago-Northwest Indiana area into Southeast Wisconsin, and, in particular, into the Milwaukee demonstration area. The primary concern of these commentors is that the transported ozone/precursor could prevent attainment of the ozone NAAQS in the Milwaukee area.

EPA Response: EPA's policy states that precursor emissions from urban areas must be sufficiently reduced to eliminate ozone NAAQS violations downwind of the urban area. EPA is requiring a reduction of volatile organic compound (VOC) emissions in the Chicago area that is designed to eliminate the transport of ozone, at above-standard levels, into the Milwaukee demonstration area. At the same time, VOC emissions in the Milwaukee demonstration area must be reduced to a level that allows attainment of the ozone NAAQS downwind of downtown Milwaukee. EPA has determined that the WDNR conducted the final ozone modeling analysis for the 1982 ozone SIP with the assumption that sufficient upwind precursor emission controls would be implemented, in the future, to prevent upwind (background) ozone concentrations in excess of the standard.

Comment: One local agency addressed the appropriateness of various types of sanctions resulting from disapproval of the Wisconsin SIP.

EPA Response: EPA has determined that Wisconsin has revised its draft plan and has submitted an acceptable SIP revision, with the exception of the I/M element. Because EPA is deferring action on Wisconsin's I/M program at this time, today's final rulemaking action imposes no Clean Air Act sanctions on the State of Wisconsin. EPA will address this comment, if appropriate, when it takes final rulemaking action on Wisconsin's I/M program. The reader is referred to EPA's November 2, 1982 (48 FR 50686) final rulemaking action pertaining to EPA's general policy on the imposition of sanctions.

Comments: One set of comments was submitted by the State of New York regarding ozone SIP submittals for several States in the Eastern U.S., including the draft submittal for Wisconsin. These comments and EPA's responses are discussed in detail in the record of this rulemaking.

A brief summary of the comments and EPA's responses is presented below.

New York commented that an approval of Wisconsin's ozone SIP would contravene Section 110(a)(2)(E) of the Clean Air Act (referring to interstate impacts), by allowing sources in the Milwaukee area to make it unduly difficult for New York State to achieve attainment. New York also argues that Stage II (vapor recovery during refueling of motor vehicles at retail gasoline distributors) is a reasonably available control technology, and should be required for all the States identified in its comments, not just for the States of New York and New Jersey.

EPA Response: The best available tool for assessing transport into and out of the New York City area (i.e., City Specific Empirical Kinetic Modeling Approach) already considers ozone and ozone precursors transported into New York, and provides credit for anticipated reductions in this transport. Also, EPA requirements preclude excessive ozone transport in that each urban area must demonstrate attainment at all monitors where violations are principally attributable to that urban area. Furthermore, EPA responds that Stage II vapor recovery is not generally considered to be a reasonably available control technology, but this control and other controls may be necessary in areas where attainment cannot be demonstrated without such controls. Stage II vapor recovery is not necessary to demonstrate attainment in the Milwaukee area. For these reasons, emissions in the Milwaukee urban area do not prevent attainment in the New York City area, and further controls in the Milwaukee area are not required by the Clean Air Act.

Additional technical analyses and rebuttal to New York's comments on the Wisconsin SIP are contained in EPA's technical support document dated August 24, 1983. It is EPA's conclusion that New York has not demonstrated a significant level of ozone transport from Wisconsin to New York City.

Comment: One commenter argued that approval of enforceable schedules to develop and adopt additional control programs necessary to assure attainment by 1987 (such as Wisconsin's commitment to adopt EPA's RACT III regulations) violates Section 172(c) of the Clean Air Act, which requires each 1982 SIP submission to contain "enforceable measures."

EPA Response: EPA disagrees with this complaint because the term "enforceable measures" is broad enough to encompass enforceable schedules. A detailed explanation of EPA's response is contained in the record of this rulemaking.

III. State Response to EPA's Proposed Rulemaking

On March 8, 1983, WDNR submitted the final 1982 SIP for the Milwaukee demonstration area. This final SIP adequately addresses all prior EPA comments on the draft submittal, except for the I/M element. EPA reviewed the SIP in accordance with the criteria published on January 22, 1981 (46 FR 7182), and in the "General Preamble" for SIP revisions for nonattainment areas, published on April 4, 1979 (44 FR 20372).[1] EPA's conclusions on the changes that the WDNR has made in response to EPA's notice of proposed rulemaking are described below.

1. *Demonstration of Attainment for Ozone Prior to December 31, 1987.* WDNR revised the draft plan to provide a single VOC emission reduction target, and submitted a new modeling analysis for the Milwaukee urban area. The demonstration area consists of the seven-county Southeastern Wisconsin area, which includes Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, and Waukesha Counties.

[1] EPA published four additional notices supplementing the general preamble in 1979: July 2, 1979 (44 FR 38583); August 28, 19769 (44 FR 50371); September 17, 1979 (44 FR 53761); and, November 23, 1979 (44 FR 67182).

The analysis considers ozone standard violations monitored at the worst-case monitoring site, the University of Wisconsin-Milwaukee. Based on this analysis, the WDNR determined that a VOC emission reduction of 33.6 percent, from the 1980 base-year VOC emission levels for the seven-county area, would be necessary to attain the standard. The SIP documents a 1980 base-year VOC emission level of 302,870 kilograms (kg) per summer weekday, and projects a 1987 VOC emission level of 199,120 kg per summer weekday. Therefore, the SIP projects a 34.3 percent reduction in VOC emissions between 1980 and 1987. This projected reduction demonstrates attainment of the ozone standard prior to December 31, 1987. This attainment demonstration meets EPA's technical and policy requirements. Readers should refer to EPA's August 24, 1983, technical support document for a more detailed discussion.

The control measures for VOC emissions, consisting of stationary source controls in the Milwaukee demonstration area, are embodied in the Wisconsin Administrative Code, NR 154.13. The regulations were approved as SIP revisions on June 21, 1982 (47 FR 26622) and January 11, 1980 (45 FR 2319). Measures for controlling VOC emissions from mobile sources include the Federal Motor Vehicle Emission Control Program (FMVECP), regional Transportation Control Measures (TCMs), and vehicle I/M. The EPA technical support document further describes the levels of VOC controls included within the SIP.

2. *Commitment to Submit Stationary Source RACT Regulations.* The 1982 Wisconsin SIP commits the State to adopt and submit RACT III regulations to EPA, 1 year after the January 1st following the issuance of each control technique guideline (CTG) document published by EPA. The SIP also commits the State to develop, submit, and implement the major non-CTG RACT regulations according to the following schedule:

- July 1, 1983–December 31, 1984. Case-by-case evaluation of potential emission reductions and appropriate control techniques.
- January 1, 1985–December 31, 1985. Rule development and rule submission to EPA.
- January 1, 1986–December 31, 1987. Control implementation.

EPA considers this schedule to be as expeditious as practicable.

EPA notes that the 1987 VOC emission level reported in the SIP does not reflect the impact of reductions obtained from the implementation of these controls.

3. *Demonstration of Attainment for CO Prior to December 31, 1987.* The 1982 SIP considers CO violations monitored in the nonattainment area at 7528 W. Appleton Avenue in Milwaukee. WDNR applied a linear rollback equation to derive an annual CO emission rate at which violations of the standard are not expected to occur. The rollback analysis predicts that CO emissions must be reduced by 32.6 percent from 1980 base-year levels.

The FMVECP will provide the major control measure for CO in Milwaukee. The FMVECP is projected to reduce CO emissions by 35.7 percent. Vehicle I/M is projected to result in a CO emission reduction of 12.8 percent. Thus, the State demonstrates attainment of the CO standard prior to December 31, 1987. This demonstration meets EPA's technical and policy guidance. The EPA technical support document further describes the 1982 CO SIP.

As part of today's rulemaking action, EPA is removing the condition of approval of the CO portion of the Wisconsin SIP, as outlined at 40 CFR Part 52.2583(a)(1). The State has fulfilled this condition, which pertains to the remaining hot-spot in the vincinity of Appleton Avenue and 76th Street, within the 1982 CO SIP revision.

4. *Deviations from EPA Policy and Guidance.* In response to EPA's technical review letter of October 26, 1982, and the February 3, 1983, notice of proposed rulemaking, WDNR revised those portions of the draft SIP where corrections and/or explanations of deviations from EPA's policy and guidance, or additional documentation, were required. WDNR incorporated the revisions into the final 1982 SIP. EPA reviewed each change and determined that the State has adequately addressed EPA's concerns. This is discussed in further detail in EPA's Technical Support Document, dated August 28, 1983.

IV. Summary of Rulemaking Action

1. EPA is approving the data analyses, ozone modeling, and demonstration of attainment for ozone in the 1982 ozone/CO SIP.

2. In addition to the stationary source VOC emission controls previously approved, EPA is approving Wisconsin's commitments and schedules for RACT III and major non-CTG source control measure adoption, submittal, and implementation, which are contained in the 1982 ozone/CO SIP.

3. EPA is approving the data analysis and demonstration of attainment for CO in the 1982 ozone/CO SIP.

4. EPA is removing the condition of approval for further CO hot-spot analysis from 40 CFR Part 52.2583(a)(1).

5. EPA is deferring final action on the I/M element of the 1982 ozone/CO SIP at this time.

Under Executive Order 12291, today's action is not "Major." It has been submitted to the Office of Management and Budget (OMB) for review. Any comments from OMB to EPA, and any EPA response, are available for public inspection at the EPA Region V office listed above.

Under 5 U.S.C. 605(b), the Administrator has certified that SIP approvals do not have significant economic impact on a substantial number of small entities. (See 46 FR 8709).

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 from today). This action may not be challenged later in proceedings to enforce its requirements. (See 307(b)(2).)

List of Subjects in 40 CFR Part 52

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

Note.—Incorporation by reference of the State Implementation Plan for the State of Wisconsin was approved by the Director of the Federal Register on July 1, 1982.

This notice is issued under authority of Section 110 and 172 of the Clean Air Act, as amended (42 U.S.C. 7410 and 7502).

Dated: March 1, 1984.

William D. Ruckelshaus,

Administrator.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

Wisconsin—Subpart YY

1. Section 52.2570 is amended by adding paragraph (c)(31) as follows:

§ 52.2570 Identification of plan.

* * * * *

(c) * * *

(31) On March 8, 1983, the Wisconsin Department of Natural Resources submitted the 1982 revision to the Ozone/Carbon Monoxide SIP for Southeastern Wisconsin. This revision pertains to Kenosha, Milwaukee,

Ozaukee, Racine, Walworth, Washington, and Waukesha Counties. EPA is deferring action on the vehicle inspection and maintenance (I/M) portion of this revision.

* * * * *

2. Section 52.2572 is revised to read as follows:

§ 52.2572 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Wisconsin's plans for the attainment and maintenance of the National Ambient Air Quality Standards under Section 110 of the Clean Air Act. Furthermore, the Administrator finds the plans satisfy all requirements of Part D, Title I, of the Clean Air Act as amended in 1977, except as noted below. In addition, continued satisfaction of the requirements of Part D for the Ozone portion of the State Implementation Plan depends on the adoption and submittal of RACT requirements on: (1) Group III Control Techniques Guideline sources within 1 year after January 1st following the issuance of each Group III control technique guideline; and (2) Major (actual emissions equal or greater than 100 tons VOC per year) non-control technique guideline sources in accordance with the State's schedule contained in the 1982 Ozone SIP revision for Southeastern Wisconsin.

§ 52.2583 [Amended]

3. In Section 52.2583, paragraph (a)(1) is revoked and reserved.

[FR Doc. 84-6250 Filed 3-8-84; 8:45 am]
BILLING CODE 6560-50-M

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40 CFR Part 228

[WH-FRL 2542-1]

Ocean Dumping; Extension of Interim Site Designations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Interim final rule.

SUMMARY: EPA today extends the interim designation of two existing dredged material disposal sites until final rulemaking is completed, or until January 31, 1985, whichever is sooner. The two sites are located (1) in the Atlantic Ocean off Jacksonville, Florida, and (2) in the Pacific Ocean off San Francisco, California ("San Francisco Channel Bar"). This action is necessary to provide acceptable ocean dumping sites for the disposal of dredged material essential to maintain navigation until formal rulemaking is completed.

DATE: This action will become effective on March 9, 1984. Comments must be received on or before April 9, 1984.

ADDRESSES: Send comments to: Mr. T. A. Wastler, Chief, Marine Protection Branch (WH-585), EPA, Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Mr. T. A. Wastler, 202/755-0356.

SUPPLEMENTARY INFORMATION: Section 102(c) of the Marine Protection, Research, and Sanctuaries Act of 1972, as amended, 33 U.S.C. 1401 et seq. ("the Act"), gives the Administrator of EPA the authority to designate sites where ocean dumping may be permitted. On September 19, 1980, the Administrator delegated the authority to designate ocean dumping sites to the Assistant Administrator for Water and Waste Management, now the Assistant Administrator for Water.

The EPA Ocean Dumping Regulations (40 CFR Chapter I, Subchapter H, § 228.4) state that ocean dumping sites will be designated by publication in this Part 228. A list of "Approved Interim and Final Ocean Dumping Sites" was published on January 11, 1977 (42 FR 2461 et seq.) and was last extended on February 7, 1983 (48 FR 5557 et seq.). That list established the Jacksonville and San Francisco Channel Bar sites as interim sites and extended their period of use until January 31, 1984. Today's extension will modify the previous extension by placing these sites in the list of sites having interim designation until January 31, 1985, or until final rulemaking is completed, whichever is sooner.

Rulemaking is in process on both sites, but it has not been possible to complete the rulemaking within the time of the existing extension and allow for full public participation in the process. This interim extension will allow careful consideration of all comments received during the rulemaking process.

EPA today, in a separate action, proposes designation of the Jacksonville site. The public is invited to participate in the rulemaking process by commenting on this proposed action. A proposal for designating the San Francisco Channel Bar site will be published in the near future.

Continued designation of these two interim dredged material disposal sites is necessary to assure the uninterrupted availability of the adjacent harbors to interstate and foreign commerce. These site designations expired February 1, 1984. Accordingly, pursuant to the Administrative Procedure Act, 5 U.S.C. 553(b)(3)(B), the Agency has determined that notice and public procedure on the interim designations, prior to their extension, is impracticable and contrary to the public interest. However, the Agency solicits public comment on the extension of the interim designations and will address any comments received in the final rulemaking. For the same reasons, EPA has determined, pursuant to the Administrative Procedure Act, 5 U.S.C. 553(d)(3), that there is good cause to make this extension effective immediately.

It should be emphasized that, if an ocean dumping site is designated, such a site designation does not constitute or imply EPA's approval of actual disposal of materials at sea. Before ocean dumping of dredged material at the site may commence, the Corps of Engineers must evaluate a permit application according to EPA's ocean dumping criteria. If a Federal project is involved, the Corps must also evaluate the proposed dumping in accordance with those criteria. In either case, EPA has the right to disapprove the actual dumping, if it determines that environmental concerns under the Act have not been met.

Under the Regulatory Flexibility Act, EPA is required to perform a Regulatory Flexibility Analysis for all rules which may have a significant impact on a substantial number of small entities. EPA has determined that this action will not have a significant impact on small entities since the site designation will only have the effect of providing a disposal option for dredged material. Consequently, this action does not necessitate preparation of a Regulatory Flexibility Analysis.

Under Executive Order 12291, EPA must judge whether a regulation is "major" and therefore subject to the requirement of a Regulatory Impact Analysis. This action will not result in an annual effect on the economy of $100 million or more or cause any of the other effects which would result in its being classified by the Executive Order as a "major" rule. Consequently, this action does not necessitate preparation of a Regulatory Impact Analysis.

This action does not contain any information collection requirements subject to Office of Management and Budget review under the Paperwork Reduction Act of 1980, 44 U.S.C. 3501 et seq.

List of Subjects in 40 CFR Part 228

Water pollution control.

Authority: 33 U.S.C. Sections 1412 and 1418.

Dated: March 2, 1984.

Jack E. Ravan,

Assistant Administrator for Water.

PART 228—[AMENDED]

§ 228.12 [Amended]

In consideration of the foregoing, Subchapter H of Chapter I of Title 40 is amended by removing paragraphs (A), San Francisco Channel Bar, CA, and (C) Jacksonville, FL, from paragraph (a)(1)(i) of § 228.12 and adding them to paragraph (a)(1)(iii) as paragraphs (J) and (K) respectively.

[FR Doc. 84-6370 Filed 3-8-84; 8:45 am]

BILLING CODE 6560-50-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Child Support Enforcement

45 CFR Part 302

Withholding of Unemployment Benefits for Support Purposes

AGENCY: Office of Child Support Enforcement (OCSE), HHS.

ACTION: Final rule.

SUMMARY: These regulations implement section 454(19) of the Social Security Act as amended by section 2335 of Pub. L. 97-35, the Omnibus Budget Reconciliation Act of 1981. (Redesignated as par. (19) by section 171(b) of Pub. L. 97-248.) Section 2335 requires child support enforcement (IV-D) agencies to determine on a periodic basis whether individuals receiving unemployment compensation owe support obligations that are not being met. It further requires IV-D agencies to enforce unmet support obligations in accordance with State-developed guidelines for obtaining an agreement with the individual to have a specified amount of support withheld from unemployment compensation otherwise due the individual or, in the absence of an agreement, by bringing legal process to require the withholding. The IV-D agency must reimburse the State employment security agency (SESA) for the administrative costs attributable to enforcing support obligations by withholding unemployment compensation.

EFFECTIVE DATE: March 9, 1984.

FOR FURTHER INFORMATION CONTACT: Carol Jordan, (301) 443-5350.

SUPPLEMENTARY INFORMATION:

Statutory Provisions

Section 2335 of Pub. L. 97-35, which provides for withholding of unemployment compensation for support purposes, contains provisions affecting both IV-D agencies and SESAs. These regulations implement only those provisions of section 2335 that affect IV-D agencies. The remaining provisions have been implemented under instructions issued by the Department of Labor. (See Unemployment Insurance Program Letter No. 15-82, dated April 8, 1982.) Although these regulations affect only the Child Support Enforcement Program under title IV-D of the Social Security Act (the Act), all of the provisions of the statute are discussed here to provide a complete picture of the roles of the IV-D agency and the SESA in relation to the withholding of unemployment compensation for the purpose of paying unmet support obligations.

With respect to the Child Support Enforcement program, section 2335 amends section 454 of the Act by adding a new paragraph (19). The new subparagraph 454(19)(A) provides that, under the IV-D State plan, the IV-D agency must determine on a periodic basis whether any individuals receiving compensation under the State's unemployment compensation law (including amounts payable under any agreement under a Federal unemployment compensation law) owe support obligations that are being enforced by the IV-D agency. This periodic determination is to be made from information supplied by the SESA under section 508 of the Unemployment Compensation Amendments of 1976. The information available to the IV-D agency under section 508 is discussed later in this preamble under the heading "Regulatory Provisions." Also discussed below is the related requirement in section 2335 that the SESA notify the IV-D agency if an individual discloses to the SESA that he or she owes child support.

The new subparagraph 454(19)(B) provides that, under the IV-D State plan, the IV-D agency must enforce support obligations that are not being met by individuals receiving unemployment compensation. In enforcing an obligation under this process, the IV-D agency must obtain an agreement with the individual to have a specified amount withheld from the unemployment compensation otherwise due the individual, or, in the absence of an agreement, must bring legal process in appropriate cases, pursuant to State or local law, to require the withholding of unemployment compensation. If a voluntary agreement is obtained, the SESA is entitled to receive a copy of it. The applicable legal process is defined in paragraph 462(e) of the Act as a writ, order, summons, or other similar process in the nature of a garnishment.

With respect to the Department of Labor's unemployment insurance program under title III of the Act, section 2335 amends paragraph 303(e) of the Act to impose several requirements on SESAs. Subparagraph 303(e)(1) is amended to specify that the provisions for withholding unemployment compensation for support purposes are applicable only to "child support obligations" being enforced pursuant to the IV-D State plan described in section 454 of the Act. Because section 454 now permits collection of certain spousal support obligations, the withholding of unemployment compensation is permissible for child support and for spousal support that has been included in the same support obligation, if the State IV-D agency elects to collect spousal support. However, section 2335 does not require the SESA to collect spousal support or to inquire whether the individual owes spousal support.

A new subparagraph 303(e)(2) specifies that the SESA will (i) ask each new applicant for unemployment compensation whether he or she owes a child support obligation being enforced under the IV-D State plan; (ii) notify the State or local IV-D agency when an eligible applicant discloses that he or she owes support being enforced under the IV-D State plan; (iii) withhold an amount from unemployment compensation when asked to do so by the applicant, or when notified to do so by the IV-D agency as a result of an agreement the IV-D agency has obtained from the individual or as a result of legal process; and (iv) pay any amount withheld to the appropriate State or local IV-D agency. Subparagraph 303(e)(2) also defines unemployment compensation as any compensation payable under State law (including amounts payable pursuant to agreements under any Federal unemployment compensation law). Finally, subparagraph 303(e)(2) requires the IV-D agency to reimburse the SESA for the administrative costs incurred in the withholding process which are attributable to support obligations being enforced by the IV-D agency.

Under the new subparagraph 303(e)(3), the Secretary of Labor, after giving the SESA reasonable notice and opportunity for hearing, may cease to certify payments to the States under section 302 of the Act if the State fails to comply with subparagraphs 303(e) (1) and (2).

Section 2335 requires both IV-D agencies and SESAs to engage in activities resulting in the withholding of