

SUMMARY: This notice is to announce the receipt of State Implementation Plan (SIP) revision for Massachusetts. The revision was submitted on April 17, 1980 to satisfy a condition of EPA's recent approval of Massachusetts' Attainment Plan SIP revisions, which were required under Part D of the Clean Air Act. Massachusetts' submittal amends the new source review regulation by adding a provision to require that emissions from new or modified sources not interfere with reasonable further progress towards attainment of National Ambient Air Quality Standards (NAAQS).

ADDRESSES: Copies of the Massachusetts submittal are available for public inspection during normal business hours at the Environmental Protection Agency, Region I, Room 1903, JFK Federal Building, Boston, Massachusetts 02203; Public Information Reference Unit, Environmental Protection Agency, 401 M Street, S.W., Washington, DC 20460; and Massachusetts Department of Environmental Quality Engineering, Division of Air Quality Control, Room 320, 600 Washington Street, Boston, Massachusetts 02111.

FOR FURTHER INFORMATION CONTACT: Linda Murphy, Air Branch, EPA Region I, Room 1903, JFK Federal Building, Boston, Massachusetts 02203, (617) 223-5609.

SUPPLEMENTARY INFORMATION: EPA published a final rulemaking notice in the Federal Register on January 10, 1980 (45 FR 2036), conditionally approving Massachusetts' Attainment Plan SIP revisions submitted on May 3, 1979. These SIP revisions were found to be in substantial compliance with the requirements of Part D of the Clean Air Act, since they implement measures for controlling new sources of air pollution in non-attainment areas. However, one of the conditions for approval of the Attainment Plan was that by March 1, 1980, the state must submit a regulation governing construction and operation of major new and modified sources to satisfy Section 173(1)(A) of the Clean Air Act, which requires compliance with reasonable further progress towards attainment of the NAAQS as specified in the SIP.

Massachusetts has submitted a SIP revision amending the new source review regulation to include this provision. EPA is presently reviewing the state's submittal to determine compliance with Clean Air Act requirements, and intends to publish a final rulemaking notice in the Federal Register by June 15, 1980. The conditional approval of the SIP will be

continued until EPA's final action is published in the Federal Register.

Dated: May 6, 1980.
William R. Adams, Jr.,
Regional Administrator, Region I.
[FR Doc. 80-15286 Filed 5-18-80; 8:45 am]
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40 CFR Part 408

[FRL 1495-7]

Effluent Guidelines and Standards; Canned and Preserved Seafood Processing Point Source Category; Suspension of Regulations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Suspension of regulations.

SUMMARY: In response to a petition for suspension, the United States Environmental Protection Agency is today temporarily suspending the applicability of effluent guidelines regulations for Seafood processing facilities located in five areas of Alaska. Specifically, EPA has suspended the applicability of regulations for "non-remote" facilities located in Anchorage, Cordova, Juneau, Ketchikan and Petersburg pending detailed review of a petition for modification of these regulations. During the period of the suspension, these areas will be subject to the promulgated regulations for "remote areas."

EFFECTIVE DATE: May 19, 1980.

FOR FURTHER INFORMATION CONTACT: Calvin J. Dysinger, Effluent Guidelines Division, 401 M St., S.W., Room 932, WSME (WH-552), Washington, D.C. 20460, (202) 426-2707.

SUPPLEMENTARY INFORMATION:

Petition for Suspension and Preliminary Petition for Modification

A portion of the Alaskan seafood industry has submitted a petition to the Agency requesting that the applicability of effluent guidelines regulations based on the application of the "best practicable control technology currently available" (BPT) be suspended for the 1980 salmon processing season (May 15 through Oct. 15) for facilities located in the following cities originally classified as "non-remote" by EPA: Anchorage, Cordova, Juneau, Ketchikan and Petersburg. Processing plants in these cities have not installed the wastewater solids screening equipment required by the BPT regulations. The industry has submitted a preliminary petition for modification of these regulations, a detailed complete petition will be submitted by June 16, 1980.

Petitioners do not seek suspension of the regulations for Kodiak. Further, petitioners have agreed to comply with the regulations for remote Alaska processors during the suspension period. Therefore, the effect of granting the suspension petition is to designate grinding as BPT for the facilities in Anchorage, Cordova, Juneau, Ketchikan and Petersburg, rather than the current screening technology.

The petitioners rationale supporting the request for a one-season suspension is two-fold. First, the petitioners have submitted new information showing that they anticipate a record salmon catch for the 1980 season. The industry is concerned that the processing capacity of all facilities be available to handle the exceptionally large amount of fish. If the facilities in the above-mentioned areas were unable to operate due to non-compliance with regulations, the result would be an incomplete salmon harvest and a significant negative impact on the Alaskan economy.

Second, the petitioners argue that the cost of the BPT limitations in the affected cities in Alaska is out of proportion to the effluent reduction benefits. The screening and barging operations which would be used would not result in removal of any waste from the receiving water but would only affect its placement.

Response To Petition for Suspension

The Agency concurs with the petitioners that the applicability of the BPT regulations to facilities located in Anchorage, Cordova, Juneau, Ketchikan and Petersburg should be suspended for the 1980 salmon processing season. EPA reaches this conclusion on the basis of petitioners preliminary Petition for Modification and Petition for Suspension of the regulations. In particular, EPA is relying on the new information on the economic impact of the existing BPT regulations and the unique situation in the Alaska seafood industry. Under the existing BPT regulations in that industry, effluent reduction benefits are highly questionable; indeed, the result proposed by the industry may in effect result in the same degree of effluent reduction at much lower cost. Temporary suspension of the BPT requirements for these "nonremote" areas will provide time for the Agency to adequately consider all information relevant to the costs and effluent reduction benefits of these regulations, in addition to providing substantial economic relief to the Alaskan industry. Information currently available indicates that serious environmental

damage is not likely to result from the suspension of these regulations.

Therefore, the applicability of the BPT seafood processing regulations for Alaskan facilities is suspended as follows: In 40 CFR Part 408, §§ 408.40, 408.60, 408.90, 408.162, 408.165, 408.172, 408.175, 408.202, 408.205, 408.292, 408.295, 408.312, and 408.315 the phrase " * * * population or processing centers including but not limited to Anchorage, Cordova, Juneau, Ketchikan, Kodiak, and Petersburg * * *" does not apply to Anchorage, Cordova, Juneau, Ketchikan and Petersburg during the 1980 salmon processing season. The regulations applicable during this period are those promulgated for "remote" facilities; i.e., grinding of solids prior to discharge. The "non-remote" regulations above remain in effect for the city of Kodiak. This suspension is effective immediately. The suspension will be in effect until October 15, 1980, by which time the Agency will respond to the complete petition for modification.

Effective Date

The suspension to 40 CFR Part 408 is effective immediately. Ordinarily, EPA would propose suspensions of this type for public comment and allow 30 days before making a final rule effective. However, because the 1980 salmon processing season is imminent, EPA has decided that good cause exists to promulgate this final rule without public comment and to make the rule immediately effective.

Schedule for Petition for Modification and Response

Petitioners have agreed to supplement the preliminary petition for modification with a complete petition by June 16, 1980. EPA will review the complete petition and make any requests for clarification or additional data by July 15, 1980. Any additional submissions in response to such requests shall be made by the petitioners no later than August 15, 1980. EPA's final response to the petition shall be completed by October 15, 1980.

EPA will provide an opportunity for public comment on this complete petition. The petition for suspension and supporting information received to date are contained in the Agency's Administrative record. These documents are available for public inspection at Room 932 East Tower, WSMW, 401 M St. SW., Washington, D.C.

Dated: May 13, 1980.

Douglas M. Costle,
Administrator.

Subpart D—Non-Remote Alaskan Crab Meat Processing Subcategory

§ 408.40 [Suspended]

1. In § 408.40, the applicability of the subpart to Anchorage, Cordova, Juneau, Ketchikan and Petersburg is suspended until October 15, 1980.

Subpart F—Non-Remote Alaskan Whole Crab and Crab Section Processing Subcategory

§ 408.60 [Suspended]

2. In § 408.60, the applicability of the subpart to Anchorage, Cordova, Juneau, Ketchikan and Petersburg is suspended until October 15, 1980.

Subpart I—Non-Remote Alaskan Shrimp Processing Subcategory

§ 408.90 [Suspended]

3. In § 408.90, the applicability of the subpart to Anchorage, Cordova, Juneau, Ketchikan and Petersburg is suspended until October 15, 1980.

Subpart P—Alaskan Hand-Butchered Salmon Processing Subcategory

§ 408.162(b)(1) [Suspended]

4. In § 408.162(b)(1), the applicability of the section to Anchorage, Cordova, Juneau, Ketchikan and Petersburg is suspended until October 15, 1980.

§ 408.165(a)(1) [Suspended]

5. In § 408.165(a)(1), the applicability of the section to Anchorage, Cordova, Juneau, Ketchikan and Petersburg is suspended until October 15, 1980.

Subpart Q—Alaskan Mechanized Salmon Processing Subcategory

§ 408.172(b)(1) [Suspended]

6. In § 408.172(b)(1), the applicability of the section to Anchorage, Cordova, Juneau, Ketchikan and Petersburg is suspended until October 15, 1980.

§ 408.175(a)(1) [Suspended]

7. In § 408.175(a)(1), the applicability of the section to Anchorage, Cordova, Juneau, Ketchikan and Petersburg is suspended until October 15, 1980.

Subpart T—Alaskan Bottom Fish Processing Subcategory

§ 408.202(b)(1) [Suspended]

8. In § 408.202(b)(1), the applicability of the section to Anchorage, Cordova, Juneau, Ketchikan and Petersburg is suspended until October 15, 1980.

§ 408.205(a)(1) [Suspended]

9. In § 408.205(a)(1), the applicability of the section to Anchorage, Cordova,

Juneau, Ketchikan and Petersburg is suspended until October 15, 1980.

Subpart AC—Alaskan Scallops Processing Subcategory

§ 408.292(b)(1) [Suspended]

10. In § 408.292(b)(1), the applicability of the section to Anchorage, Cordova, Juneau, Ketchikan and Petersburg is suspended until October 15, 1980.

§ 408.295(a)(1) [Suspended]

11. In § 408.295(a)(1), the applicability of the section to Anchorage, Cordova, Juneau, Ketchikan and Petersburg is suspended until October 15, 1980.

Subpart AE—Alaskan Herring Fillet Processing Subcategory

§ 408.312(b)(1) [Suspended]

12. In § 408.312(b)(1), the applicability of the section to Anchorage, Cordova, Juneau, Ketchikan and Petersburg is suspended until October 15, 1980.

§ 408.315(a)(1) [Suspended]

13. In § 408.315(a)(1), the applicability of the section to Anchorage, Cordova, Juneau, Ketchikan and Petersburg is suspended until October 15, 1980.

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40 CFR Part 775

[OPTS-62007; FRL 1494-5]

Storage and Disposal of Waste Material; Prohibition of Disposal of Tetrachlorodibenzo-P-Dioxin

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: On March 11, 1980, EPA published in the Federal Register at 44 FR 15592 an immediately effective proposed rule which prohibited the Vertac Chemical Company (Vertac) of Memphis, Tennessee, from disposing of certain wastes containing 2,3,7,8-Tetrachlorodibenzo-p-dioxin (TCDD) at its Jacksonville, Arkansas facility and required other persons intending to dispose of TCDD-containing wastes to notify the Agency sixty days in advance of such disposal. The Agency issued the rule under section 6(a) of the Toxic Substances Control Act (TSCA), 15 U.S.C. 2605(a), and declared it immediately effective under section 6(d) of TSCA.

EPA now promulgates as final the proposed rule with certain