

## § 52.1120 Identification of plan.

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(c) The plan revisions listed below were submitted on the dates specified.

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(19) The addition of Regulation 7.17, for the Southeastern Massachusetts Air Pollution Control District, Coal Conversion—Brayton Point Station, New England Power Company, submitted by the Commissioner of the Massachusetts Department of Environmental Quality Engineering on September 7, 1978. Compliance with this revision shall be determined by methods consistent with New Source Performance Standards, proposed Test Method 19, as stated in a letter dated February 8, 1979 from Kenneth Hagg of the Massachusetts Department of Environmental Quality Engineering to Frank Ciavattieri of the Environmental Protection Agency.

[FRL 1223-3]  
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## 40 CFR Part 413

## Electroplating Point Source Category; Suspension of Interim Final Regulation

AGENCY: Environmental Protection Agency (EPA).

ACTION: Suspension of regulation.

**SUMMARY:** The United States Environmental Protection Agency today is indefinitely suspending pretreatment standards under the Clean Water Act which establish cyanide, chromium, and pH parameters for electroplaters. This Agency action is primarily based on a request for reconsideration of the cyanide and chromium standards submitted by some affected companies. Based upon a preliminary evaluation of the request, EPA has concluded that this regulation should be suspended until the industry petition can be fully evaluated.

**EFFECTIVE DATE:** May 14, 1979.

**FOR FURTHER INFORMATION CONTACT:** Harold B. Coughlin, Effluent Guidelines Division, (WH-552) Environmental Protection Agency, 401 M Street S.W., Washington, D. C. 20460, (202) 426-2560.

**SUPPLEMENTARY INFORMATION:** On July 12, 1977, EPA promulgated interim final pretreatment standards for the electroplating category analogous to best practicable technology (42 FR 35834). These standards, which applied to cyanide, hexavalent chromium and pH, required compliance by July 12, 1980.

Subsequently, on February 14, 1978, the Agency published a proposed

pretreatment regulation for the same category covering the above pollutants plus cadmium, lead, copper, nickel, zinc, and silver (43 FR 6560). This proposal raised a question of whether electroplaters should be required to comply with the July 12, 1977 standard of the forthcoming standard based on the February 1978 proposal, or both.

In considering this question the Agency first reviewed the comments received on the interim final regulation and the proposed regulation. These comments indicated that the interim final numerical standards for cyanide and hexavalent chromium will probably have to be modified. EPA needs more time to fully evaluate these comments. Moreover, the Agency estimates that a final regulation based on the February 1978 proposal will be promulgated within the next nine months. In view of these factors, the Agency has decided to suspend the interim final regulation indefinitely, thereby relieving electroplaters of the duty to comply with this regulation.

The situation presented by the interim final electroplating regulation is unique. In other instances where EPA has promulgated interim final pretreatment regulations analogous to best practicable technology (BPT), the Agency intends to follow-up with regulations analogous to best available technology economically achievable (BAT). See H.R. Conf. Rep. No. 95-830, 95th Cong. 1st Sess. 87 (1977). This two step process is basic to the Clean Water Act. With electroplating, however, a three step process was contemplated: (1) an interim final BPT regulation (2) a final BPT regulation (3) a BAT regulation. Suspension of the interim final regulations will condense the regulatory process into the normal two step process. The Agency has no present intention to suspend other interim final BPT regulations while BAT regulations are being promulgated.

Authority: Section 307(b) of the Clean Water Act, as amended, 33 U.S.C. § 1251, 1317(b); 86 Stat. 818 et seq.; Pub. L. 92-500.

## Statement of Suspension

In consideration of the foregoing:

§ 413.14 [Suspended]

§ 413.24 [Suspended]

§ 413.44 [Suspended]

§ 413.54 [Suspended]

§ 413.64 [Suspended]

§ 413.74 [Suspended]

§ 413.84 [Suspended]

40 CFR Chapter I, Subchapter N, Part 413, Electroplating Point Source Category, is amended by suspending the following paragraphs and sections in their entirety: Subpart A, Electroplating Point Source Category, Section 413.14; Subpart B, Electroplating of Precious Metals Subcategory, Section 413.24; Subpart D, Anodizing Subcategory, Section 413.44; Subpart E, Coatings Subcategory, Section 413.54; Subpart F, Chemical Etching and Milling Subcategory, Section 413.64; Subpart G, Electroless Plating, Section 413.74; and Subpart H, Printed Circuit Board Subcategory, Section 413.84.

Dated: May 8, 1979.

Barbara Blum,  
Acting Administrator.  
[FRL 1214-8]  
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## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

## Office of Education

## 45 CFR Part 199a

## State Postsecondary Education Commissions Program—Intrastate Planning; Final Allocation Formula and Program Guidelines

AGENCY: Office of Education, HEW.

ACTION: Final Allocation Formula and Program Guidelines.

**SUMMARY:** The Commissioner amends the allocation formula and program guidelines for the State Postsecondary Education Commissions Program—Intrastate Planning. Operated as a formula grant program, the program is designed to provide assistance to State Postsecondary Education Commissions to conduct statewide comprehensive planning activities. This amendment merely deletes the date of the fiscal year of program operations.

**EFFECTIVE DATE:** The allocation formula and program guidelines are expected to take effect 45 days after they are transmitted to Congress. (Documents of this type are usually transmitted to Congress three to four days before they are published in the Federal Register.) However, this date is changed by statute if Congress disapproves the allocation formula and program guidelines or takes