

(2) In the case of a product first manufactured into a product classifiable in HTSUS subheading 4407.10.00, 4409.10.10, 4409.10.20, or 4409.10.90 in the Province of Ontario, Quebec, British Columbia, or Alberta:

(i) The export permit number issued by the Government of Canada for the product; and

(ii) An indication of the export fee payment status of the product for which the permit was issued according to the following categories:

(A) Category A: No payment of an export fee because the exported product falls within the base amount of 14.7 billion board feet. This category includes products for which the export permit was issued without an indication of the export fee status;

(B) Category B: Payment of the export fee applicable to a product exported in excess of 14.7 billion board feet but not in excess of 15.35 billion board feet;

(C) Category C: Payment of the export fee applicable to a product exported in excess of 15.35 billion board feet; or

(D) Category D: No payment of an export fee where the product was exported in excess of 14.7 billion board feet because the average price of a benchmark softwood lumber price exceeds a prescribed trigger price during any quarterly period as determined by the Governments of Canada and the United States. If the issued permit pertains to this category, the specific quarterly period shall also be indicated on the Customs Form 7501 or electronic equivalent.

(c) *Untimely issuance of export permit.* If an export permit for the product has not been issued by the Government of Canada on or before the required date for filing the entry summary documentation as provided in § 142.12(b) or § 142.23 of this chapter, the importer shall have a maximum of 10 additional working days to file the entry summary documentation setting forth all of the information specified in paragraph (b)(2) of this section. If an export permit for the product has not been issued by the Government of Canada within the maximum time period specified in this paragraph, the entry summary or electronic equivalent shall be filed on the next business day and shall be completed in pertinent part as follows:

(1) The export permit number field shall be completed by inserting as many eights as are necessary to complete the field; and

(2) The export fee payment status field shall be completed by inserting an "A" followed by two zeros.

(d) *Absence of export permit number and fee status data for certain*

*remanufactured softwood lumber products.* In the case of a softwood lumber mill product classifiable in HTSUS subheading 4407.10.00, 4409.10.10, 4409.10.20, or 4409.10.90 that is imported from Canada and that was first manufactured in Canada in the Province of Ontario, Quebec, British Columbia, or Alberta, if no export permit for the product is issued by the Government of Canada because the product was previously subjected to processing operations outside Canada, the entry summary, Customs Form 7501, or an electronic equivalent, shall include the Canadian province or territory in which the product was first manufactured and also shall be completed in pertinent part as follows:

(1) The export permit number field shall be completed by inserting as many nines as are necessary to complete the field; and

(2) The export fee payment status field shall be completed by inserting an "A" followed by two zeros.

#### PART 113—CUSTOMS BONDS

1. The authority citation for Part 113 continues to read in part as follows:

Authority: 19 U.S.C. 66, 1623, 1624.

\* \* \* \* \*

2. Section 113.62 is amended:

a. By redesignating paragraph (k) as paragraph (l);

b. In the penultimate sentence of paragraph (l)(4) of redesignated paragraph (l), by removing the reference "paragraph (k)(1)" and adding, in its place, the reference "paragraph (l)(1)"; and

c. By adding a new paragraph (k) and adding a new paragraph (l)(5) at the end of newly designated paragraph (l) to read as follows:

#### § 113.62 Basic importation and entry bond conditions.

\* \* \* \* \*

(k) *Agreement to ensure and establish issuance of softwood lumber export permit and collection of export fees.* In the case of a softwood lumber product imported from Canada that is subject to the requirement that the Government of Canada issue an export permit pursuant to the Softwood Lumber Agreement, the principal agrees, as set forth in § 12.140(a) of this chapter, to assume the obligation to ensure within 20 working days of release of the merchandise, and establish to the satisfaction of Customs, that the applicable export permit has been issued by the Government of Canada.

(l) \* \* \*

(5) If the principal defaults on agreements in the condition set forth in

paragraph (k) of this section only, the obligors agree to pay liquidated damages equal to \$100 per thousand board feet of the imported lumber.

Approved: February 20, 1997.

George J. Weise,  
Commissioner of Customs.

John P. Simpson,

Deputy Assistant Secretary of the Treasury.  
[FR Doc. 97-4682 Filed 2-25-97; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[PA 083-4036a, PA 083-4037a, PA 069-4035a; FRL-5690-4]

### Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania Source-Specific VOC and NO<sub>x</sub> RACT Determinations, and 1990 Base Year Emissions for One Source; Correction

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Direct final rule; correction.

**SUMMARY:** This action corrects the citation of a direct final rule, which was published on Friday, December 20, 1996 (61 FR 67229). This action pertains to the Pennsylvania source-specific RACT determinations for three sources: Caparo Steel Company, Sharon Steel Company, and Pennsylvania Electric Company—Williamsburg Station.

**EFFECTIVE DATE:** February 26, 1997.

**FOR FURTHER INFORMATION CONTACT:** Janice Lewis, (215) 566-2185, or Carolyn Donahue, (215) 566-2095.

#### SUPPLEMENTARY INFORMATION:

##### Background

On December 20, 1996 (61 FR 67229) EPA published a direct final rule approving a SIP revision submitted by Pennsylvania pertaining to Pennsylvania source-specific RACT determinations for Caparo Steel, Sharon Steel, and Penelec—Williamsburg, and 1990 Base year emissions for Sharon Steel Company.

##### Need for Correction

As published, the direct final rule contains an error which may prove to be misleading and is in need of clarification. The error is typographical in nature; the state submittal from the Pennsylvania Department of Environmental Protection (PADEP) correctly cites the emission limit for Penelec—Williamsburg.

## Correction of Publication

Accordingly, the publication on December 20, 1996 (61 FR 57232, FR Doc. 96-32369), Part 52, § 52.2037 is being amended by correcting an error in paragraph (f). On page 67232, in the first column, in the second sentence of paragraph (f) the words, “\* \* \* 21.7 pounds of NO<sub>x</sub> per million British thermal units (lb/MMBtu) \* \* \*” are corrected to read, “\* \* \* 21.7 pounds of NO<sub>x</sub> per ton of coal fired (lb/ton) \* \* \*”.

## Administrative Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a “significant regulatory action” and, is therefore not subject to review by the Office of Management and Budget. In addition, this action does not impose any enforceable duty or contain any unfunded mandate as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4), or require prior consultation with State officials as specified by Executive Order 12875 (58 FR 58093, October 28, 1993), or involve special consideration of environmental justice related issues as required by Executive Order 12898 (59 FR 7629, February 16, 1994).

Because this action is not subject to notice-and-comment requirements under the Administrative Procedure Act or any other statute, it is not subject to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

Under 5 U.S.C. 801(a)(1)(A) as added by the Small Business Regulatory Enforcement Fairness Act of 1996, EPA submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives and the Comptroller General of the General Accounting Office prior to publication of this rule in today's Federal Register. This rule is not a “major rule” as defined by 5 U.S.C. 804(2).

## List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Hydrocarbons, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements.

Dated: February 4, 1997.

W. Michael McCabe,

*Regional Administrator, Region III.*

[FR Doc. 97-4661 Filed 2-25-97; 8:45 am]

BILLING CODE 6560-50-P

## 40 CFR Part 52

[WA50-7123a; FRL-5692-8]

## Approval and Promulgation of Implementation Plans: Washington

**AGENCY:** Environmental Protection Agency.

**ACTION:** Direct final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is approving in part, and disapproving in part, and taking no action in part on the Regulations of the Southwest Air Pollution Control Authority (SWAPCA) for the control of air pollution in Clark, Cowlitz, Lewis, Skamania and Wahkiakum Counties, Washington, as revisions to the Washington State Implementation Plan (SIP). These revisions pertain to General Regulations for Air Pollution Sources administered by SWAPCA. These revisions were submitted to EPA by the Director of the Washington Department of Ecology (WDOE) on January 24, 1996. In accordance with Washington statutes, SWAPCA rules must be at least as stringent as the WDOE statewide rules. **DATES:** This action is effective on April 28, 1997, unless adverse or critical comments are received by March 28, 1997. If the effective date is delayed, timely notice will be published in the Federal Register.

**ADDRESSES:** Written comments should be addressed to: Montel Livingston, SIP Manager, Office of Air Quality (OAQ-107), EPA, 1200 Sixth Avenue, Seattle, Washington 98101.

Documents which are incorporated by reference are available for public inspection at the Air and Radiation Docket and Information Center, Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460. Copies of material submitted to EPA may be examined during normal business hours at the following locations: EPA, Region 10, Office of Air Quality, 1200 Sixth Avenue (OAQ-107), Seattle, Washington 98101; and, the State of Washington, Department of Ecology, 4550 Third Avenue SE, Lacey, Washington 98504.

**FOR FURTHER INFORMATION CONTACT:** Wayne Elson, Office of Air Quality (OAQ-107), EPA, Seattle, Washington 98101, (206) 553-1463.

**SUPPLEMENTARY INFORMATION:**

## I. Background

SWAPCA amended Chapter 400 of its rules on September 21, 1995. The WDOE, on behalf of the Governor, submitted the amended regulations to EPA on January 24, 1996, as a revision to the Washington SIP. The amended

regulations pertain to General and Operating Permit Regulations for Air Pollution Sources administered by SWAPCA, and adopt by reference various other State regulations. Some of the regulations adopted by reference have been the subject of previous EPA actions on the SIP.

## II. This Action

The State of Washington's January 24, 1996, request for SIP revision includes regulations contained in Chapter 400 of SWAPCA's rules. Certain of these regulations are amendments to those currently contained in the SIP; others are entirely new additions.

## A. Unchanged

EPA approves SWAPCA 400-052, -151, -161, -190, -205, -210, -220, -240, and -260 regulations currently in the SIP, and unchanged by the January 24, 1996, revisions.

## B. Modifications

EPA approves the modifications and/or additions to the SWAPCA 400-010, -020, -030, -040, -050, -060, -070, -074, -075, -076, -081, -091, -100, -101, -105, -107, -109, -110, -112, -113, -114, -115, -171, -172, -200, -230, -250, -270, and -280 regulations currently in the SIP. Subsections of these regulations that EPA takes no action on are noted. Some are editorial changes which are housekeeping in nature. Most of those subsections EPA also took no action in May 3, 1995 (60 FR 21703). These minor changes are not substantial and provide technical or administrative clarification. The language in twelve of these regulations has been modified only slightly from that used in versions currently in the approved SIP. They include: 400-010 Policy and Purpose, 400-020 Applicability, 400-060 Emission Standards for General Process Units, 400-081 Startup and Shutdown, 400-091 Voluntary Limits on Emissions, 400-107 Excess Emissions, 400-112 Requirements for New Sources in Nonattainment Areas, 400-113 Requirements for New Sources in Attainment or Nonclassifiable Areas, 400-114 Requirements for Replacement or Substantial Alteration of Emission Control Technology at an Existing Stationary Source, 400-171 Public Involvement, 400-200 Creditable Stack Height and Dispersion Techniques, and 400-250 Appeals.

The remaining changed regulations are described as follows. In 400-030, a definition (15) “closure” or stopping all processes at a facility is added. In 400-030, the second sentence of definitions (14) “Class I area” and (45) “Mandatory