

of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on November 24, 1999.

D.L. Riggan,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

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BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 99-NM-74-AD]

RIN 2120-AA64

Airworthiness Directives; Boeing Model 727-100, -100C, and -200 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain Boeing Model 727-100, -100C, and -200 series airplanes. For certain airplanes, this proposal would require a one-time inspection of certain fuselage circumferential skin joints to determine the type of fasteners installed, and replacement of any aluminum fasteners with steel fasteners, if necessary; or modification of certain fuselage circumferential skin joints; as applicable. For certain other airplanes, this proposal would also require repetitive inspections to detect corrosion, sealant deterioration, cracking, or disbonding; repair, if necessary; and modification of certain fuselage circumferential skin joints. This proposal is prompted by reports of corrosion between the body skins and cold-bonded doublers at the fuselage circumferential skin joints. The actions specified by the proposed AD are intended to prevent delamination of the cold-bonded doublers, which could result in corrosion of the body skins and doublers, and consequent reduced structural capability of the fuselage circumferential skin joints.

DATES: Comments must be received by January 20, 2000.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 99-NM-

74-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Walt Sippel, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2774; fax (425) 227-1181.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 99-NM-74-AD." The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 99-NM-74-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

In 1990, the FAA issued AD 90-06-09, amendment 39-6488 (55 FR 8370, March 7, 1990), which required incorporation of certain structural modifications on certain Boeing Model 727 series airplanes, in accordance with Boeing Document No. D6-54860, Revision C, dated December 11, 1989, "Aging Airplane Service Bulletin Structural Modification Program—Model 727." One of those modifications was replacement of countersunk fasteners installed at cold-bonded doublers of fuselage circumferential skin joints at body stations (BS) 259, 360, 441, 481, and 681 with oversize, protruding-head fasteners. That AD was prompted in part by reports of corrosion between the body skins and cold-bonded doublers at the fuselage circumferential skin joints. Delamination of the cold-bonded doublers allows moisture to enter voids caused by the bond separation, which could result in corrosion of the body skins and doublers, and consequent reduced structural capability of the fuselage circumferential skin joints.

Since the issuance of AD 90-06-09, the airplane manufacturer has notified the FAA that the incorrect fastener type was used in the modification of the fuselage circumferential skin joints required by that AD. Aluminum fasteners were used for that modification; the airplane manufacturer now knows that aluminum fasteners reduce the structural capability of the fuselage circumferential skin joints.

In 1990, the FAA also issued AD 90-26-09, amendment 39-6835 (55 FR 51403, December 14, 1990), which required repetitive inspections of certain fuselage circumferential skin joints, and repair, if necessary, in accordance with Boeing Service Bulletin 727-53-0084, Revision 4, dated August 2, 1990. The modification of the fuselage circumferential skin joints required by AD 90-06-09 was considered terminating action for certain repetitive inspections required by AD 90-26-09.

Since the issuance of AD 90-26-09, the airplane manufacturer has notified the FAA that certain airplanes were inadvertently not included in the effectivity listing in paragraph I.A.1. of Boeing Service Bulletin 727-53-0084, Revision 4, although they were included in the effectivity statement in the summary of the service bulletin. The FAA has determined that operators of those airplanes may not realize that those airplanes are subject to AD 90-26-09. In addition, the airplane manufacturer has notified the FAA that

those same airplanes were also inadvertently not included in the effectivity listing of Boeing Document No. D6-54860, Revision C, and hence, were also omitted from the applicability of AD 90-06-09. Those airplanes are subject to the same unsafe condition as the airplanes that are included in the applicability statements of those two AD's. Therefore, the FAA finds that additional rulemaking is necessary to ensure that the unsafe condition is addressed on all affected airplanes.

Explanation of Relevant Service Information

The FAA has reviewed and approved Boeing Service Bulletin 727-53-0084, Revision 4, dated August 2, 1990, which describes procedures for repetitive inspections of the cold-bonded doublers of the fuselage circumferential skin joints at BS 259, 360, 441, 481, and 681; and repair, if necessary. The inspections include an external detailed visual inspection to detect corrosion and sealant deterioration, a low frequency eddy current (LFEC) inspection to detect corrosion, a high frequency eddy current (HFEC) inspection to detect cracking, and an internal detailed visual inspection to detect cracking, sealant deterioration, or disbonding. The service bulletin also describes procedures for modification of the cold-bonded doublers in those areas. In addition, the service bulletin describes procedures for a one-time inspection of the fuselage circumferential skin joints at BS 259, 360, 441, 481, and 681 to determine the type of fasteners installed, and replacement of any aluminum fasteners with steel fasteners, if necessary. Accomplishment of the actions specified in the service bulletin is intended to adequately address the identified unsafe condition.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would require accomplishment of the actions specified in the service bulletin described previously, except as discussed below.

Differences Between Proposed Rule and Service Bulletin

Operators should note that, although the service bulletin specifies that the manufacturer may be contacted for disposition of certain repair conditions, this AD requires the repair of those conditions to be accomplished in accordance with a method approved by the FAA, or in accordance with data

meeting the type certification basis of the airplane approved by a Boeing Company Designated Engineering Representative who has been authorized by the FAA to make such findings.

Operators should also note that, for those airplanes on which modification of cold-bonded doublers of certain fuselage circumferential skin joints has already been accomplished, this AD proposes only to mandate the one-time inspection of the joints to determine the type of fastener installed, and replacement of any aluminum fasteners with steel fasteners, if necessary; or modification of certain fuselage circumferential skin joints; as applicable.

Operators should also note that this proposed AD would require the repetitive inspections and modification of the cold-bonded doublers of certain fuselage circumferential skin joints for only certain airplanes. These airplanes were inadvertently omitted from the applicability of AD 90-26-09.

The service bulletin recommends accomplishing the repetitive internal visual inspections every 30 months if the repetitive HFEC inspection is accomplished every 48 months, or accomplishing the repetitive internal visual inspections every 48 months if the repetitive HFEC inspection is accomplished every 15 months. In developing an appropriate compliance time for this AD, the FAA considered not only the manufacturer's recommendation, but the degree of urgency associated with addressing the subject unsafe condition, the average utilization of the affected fleet, and the time necessary to perform the inspections. In light of all of these factors, the FAA finds a 48-month compliance time for both the internal visual inspection and the HFEC inspection to be warranted, in that it represents an appropriate interval of time allowable for affected airplanes to continue to operate without compromising safety. This compliance time is consistent with that specified in AD 90-26-09.

Cost Impact

There are approximately 549 airplanes of the affected design in the worldwide fleet. Based on a records review, the FAA estimates that only 374 of those airplanes are still in service. The FAA estimates that 280 airplanes of U.S. registry still in service would be affected by this proposed AD.

The number of airplanes that would be subject to the proposed one-time inspection to determine the type of fasteners installed is unknown. For affected airplanes, it would take

approximately 45 work hours per airplane to accomplish the proposed one-time inspection, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of this proposed inspection on U.S. operators is estimated to be \$2,700 per airplane.

The FAA estimates that 3 airplanes of U.S. registry would be required to perform the external detailed visual inspection of certain fuselage circumferential skin joints that is proposed in this AD action. It would take approximately 8 work hours per airplane to accomplish this proposed inspection, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of this proposed inspection on U.S. operators is estimated to be \$1,440, or \$480 per airplane, per inspection cycle.

The FAA estimates that 3 airplanes of U.S. registry would be required to perform the internal detailed visual inspection of certain fuselage circumferential skin joints that is proposed in this AD action. It would take approximately 12 work hours per airplane to accomplish this proposed inspection, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of this proposed inspection on U.S. operators is estimated to be \$2,160, or \$720 per airplane, per inspection cycle.

The FAA estimates that 3 airplanes of U.S. registry would be required to perform the LFEC inspection of certain fuselage circumferential skin joints that is proposed in this AD action. It would take approximately 100 work hours per airplane to accomplish this proposed inspection, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of this proposed inspection on U.S. operators is estimated to be \$18,000, or \$6,000 per airplane, per inspection cycle.

The FAA estimates that 3 airplanes of U.S. registry would be required to perform the HFEC inspection of certain fuselage circumferential skin joints that is proposed in this AD action. It would take approximately 24 work hours per airplane to accomplish this proposed inspection, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of this proposed inspection on U.S. operators is estimated to be \$4,320, or \$1,440 per airplane, per inspection cycle.

For affected airplanes, it would take approximately 192 work hours per airplane to accomplish the proposed modification of the cold-bonded doublers of certain fuselage circumferential skin joints, at an average labor rate of \$60 per work hour. Required parts would cost

approximately \$1,250. Based on these figures, the cost impact of this proposed modification on U.S. operators is estimated to be \$12,770 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

Regulatory Impact

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption ADDRESSES.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

Boeing: Docket 99-NM-74-AD.

Applicability: Model 727-100, -100C, and -200 series airplanes; line numbers 1 through 549 inclusive; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (g)(1) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

To prevent delamination of the cold-bonded doublers, which could result in corrosion of the body skins and doublers, and consequent reduced structural capability of the fuselage circumferential skin joints, accomplish the following:

Note 2: For the purposes of this AD, a detailed visual inspection is defined as: "An intensive visual examination of a specific structural area, system, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally supplemented with a direct source of good lighting at intensity deemed appropriate by the inspector. Inspection aids such as mirror, magnifying lenses, etc., may be used. Surface cleaning and elaborate access procedures may be required."

One-Time Inspection/Replacement

(a) For airplanes on which the modification specified in Boeing Service Bulletin 727-53-0084, Revision 2, dated June 5, 1972, and the additional actions (including additional fastener replacement locations) specified in Boeing Document No. D6-54860, Revision C, dated December 11, 1989, "Aging Airplane Service Bulletin Structural Modification Program—Model 727"; or the modification specified in Boeing Service Bulletin 727-53-0084, Revision 3, dated September 28, 1989; HAS been accomplished: Within 36 months after the effective date of this AD, perform a one-time inspection of the fuselage circumferential skin joints to determine the type of fastener installed, in accordance with Figure 7 of the Boeing Service Bulletin 727-53-0084, Revision 4, dated August 2, 1990.

(1) If no aluminum fasteners are found, no further action is required by this AD.

(2) If any aluminum fastener is found, prior to further flight, replace with a steel fastener, in accordance with Boeing Service Bulletin 727-53-0084, Revision 4, dated August 2, 1990.

Modification

(b) For airplanes listed in Boeing Document No. D6-54860, Revision C, dated December 11, 1989, "Aging Airplane Service Bulletin Structural Modification Program—Model 727" on which the modification specified in Boeing Service Bulletin 727-53-0084, Revision 2, dated June 5, 1972, and the

additional actions specified in Boeing Document No. D6-54860, Revision C, dated December 11, 1989; or the modification specified in Boeing Service Bulletin 727-53-0084, Revision 3, dated September 28, 1989; has not been accomplished prior to the effective date of this AD: Prior to the accumulation of 60,000 total flight cycles, modify the fuselage circumferential skin joints in accordance with Part IV of the Accomplishment Instructions of Boeing Service Bulletin 727-53-0084, Revision 4, dated August 2, 1990. Such action constitutes terminating action for the modification in that area required by AD 90-06-09.

Repetitive Inspections

(c) For airplanes having line numbers 153, 339, 416, and 540: Accomplish the requirements of paragraphs (c)(1), (c)(2), and (c)(3) of this AD at the compliance time specified in those paragraphs.

(1) Within 15 months after the effective date of this AD, perform an external detailed visual inspection and a low frequency eddy current (LFEC) inspection of the fuselage circumferential skin joints to detect corrosion or sealant deterioration, in accordance with Parts II.A. and II.B. of the Accomplishment Instructions of Boeing Service Bulletin 727-53-0084, Revision 4, dated August 2, 1990. Repeat the external detailed visual inspection thereafter at intervals not to exceed 15 months, and repeat the LFEC inspection thereafter at intervals not to exceed 30 months.

(2) Within 3,000 flight cycles or 30 months after the effective date of this AD, whichever occurs first, perform a high frequency eddy current (HFEC) inspection of the fuselage circumferential skin joints to detect cracking, in accordance with Part II.D. of the Accomplishment Instructions of Boeing Service Bulletin 727-53-0084, Revision 4, dated August 2, 1990. Repeat the HFEC inspection thereafter at intervals not to exceed 4,000 flight cycles or 48 months, whichever occurs first, until accomplishment of paragraph (f) of this AD.

(3) Within 48 months after the effective date of this AD, perform an internal detailed visual inspection of the fuselage circumferential skin joints to detect cracking, disbonding, or sealant deterioration; in accordance with Part II.C. of the Accomplishment Instructions of Boeing Service Bulletin 727-53-0084, Revision 4, dated August 2, 1990. Repeat the internal detailed visual inspection thereafter at intervals not to exceed 48 months.

Repair

(d) For airplanes having line numbers 153, 339, 416, and 540: If any discrepancy is detected during any inspection required by paragraph (c) of this AD, accomplish paragraph (d)(1) or (d)(2) of this AD, as applicable.

(1) If any corrosion, cracking, or disbonding is detected during any inspection required by paragraph (c) of this AD, prior to further flight, repair in accordance with Part III of the Accomplishment Instructions of Boeing Service Bulletin 727-53-0084, Revision 4, dated August 2, 1990, except as provided by paragraph (e) of this AD. No

further action is required by this AD for that area.

(2) If the sealant has deteriorated but no corrosion, cracking, or disbonding is detected during any inspection required by paragraph (c) of this AD, prior to further flight, reseal in accordance with Figure 5 or 6, as applicable, of Boeing Service Bulletin 727-53-0084, Revision 4, dated August 2, 1990.

(e) Where the service bulletin specifies that the manufacturer may be contacted for disposition of certain repair conditions, prior to further flight, repair in accordance with a method approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate; or in accordance with data meeting the type certification basis of the airplane approved by a Boeing Company Designated Engineering Representative (DER) who has been authorized by the Manager, Seattle ACO, to make such findings. For a repair method to be approved by the Manager, Seattle ACO, or a Boeing DER, as required by this paragraph, the approval letter must specifically reference this AD.

Modification

(f) For airplanes having line numbers 153, 339, 416, and 540: Prior to the accumulation of 60,000 total flight cycles, or within 3,000 flight cycles after the effective date of this AD, whichever occurs later, modify the fuselage circumferential skin joints in accordance with Part IV of the Accomplishment Instructions of Boeing Service Bulletin 727-53-0084, Revision 4, dated August 2, 1990. Such action constitutes terminating action for the requirements of paragraph (c)(2) of this AD.

Alternative Methods of Compliance

(g)(1) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Seattle ACO.

(2) An alternative method of compliance for paragraph (f) of this AD that provides an acceptable level of safety may be used in accordance with data meeting the type certification basis of the airplane approved by a Boeing Company Designated Engineering Representative who has been authorized by the Manager, Seattle ACO, to make such findings.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

Special Flight Permits

(h) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on November 30, 1999.

D. L. Riggin,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99-31477 Filed 12-3-99; 8:45 am]

BILLING CODE 4910-13-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[UT-001-0016b; FRL-6482-8]

Approval and Promulgation of Air Quality Implementation Plans; Utah; Road Salting and Sanding, Control of Installations, Revisions to Salting and Sanding Requirements and Deletion of Non-Ferrous Smelter Orders, Incorporation by Reference, and Nonsubstantive Changes

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to take direct final action to approve State Implementation Plan (SIP) revisions submitted by the Governor of the State of Utah on February 1, 1995, for the purpose of establishing new requirements for road sanding and salting in section 9.A.6.7 (referred to by the State as section IX.A.6.g) of the SIP and in UACR R307-1-3, updating the incorporation by reference in R307-2-1, deleting obsolete measures for nonferrous smelters in R307-1-3, and nonsubstantive changes to UACR R307-1-1, R307-1-3 and R307-2-1. In the "Rules and Regulations" section of this **Federal Register**, EPA is approving the State's SIP revisions as a direct final rule without prior proposal because the Agency views these as noncontroversial SIP revisions and anticipates no adverse comments. A detailed rationale for the approval is set forth in the preamble to the direct final rule. If EPA receives no adverse comments, EPA will not take further action on this proposed rule. If EPA receives adverse comments, EPA will withdraw the direct final rule and it will not take effect. EPA will address all public comments in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting must do so at this time.

DATES: Comments must be received in writing on or before January 5, 2000.

ADDRESSES: Written comments may be mailed to Richard R. Long, Director, Air and Radiation Program, Mailcode 8P-

AR, Environmental Protection Agency (EPA), Region VIII, 999 18th Street, Suite 500, Denver, Colorado 80202. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air and Radiation Program, Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500, Denver, Colorado 80202. Copies of the State documents relevant to this action are available for public inspection at the Utah Department of Environmental Quality, Division of Air Quality, 150 North 1950 West, Salt Lake City, Utah 84114-4820.

FOR FURTHER INFORMATION CONTACT: Cindy Rosenberg, EPA, Region VIII, (303) 312-6436.

SUPPLEMENTARY INFORMATION: See the information provided in the Direct Final action of the same title which is located in the Rules and Regulations section of this **Federal Register**.

Authority: 42 U.S.C. 7401 *et seq.*

Dated: November 9, 1999.

Jack W. McGraw,

Acting Regional Administrator, Region VIII.

[FR Doc. 99-31534 Filed 12-3-99; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[SIP NOS. MT-001-0012b; MT-001-0013b; MT-001-0014b; MT-001-0015b; FRL-6482-7]

Approval and Promulgation of Air Quality Implementation Plans; Montana; Emergency Episode Plan, Columbia Falls, Butte and Missoula Particulate Matter State Implementation Plans, Missoula Carbon Monoxide State Implementation Plan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to take direct final action approving State Implementation Plan (SIP) revisions submitted by the State of Montana. The revisions update the State of Montana's Emergency Episode Plan; Columbia Falls, Butte and Missoula Particulate Matter (particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers (PM-10)) SIPs; and the Missoula Carbon Monoxide (CO) Plan. In the "Rules and Regulations" section of this **Federal Register**, EPA is approving the State's SIP revision as a direct final rule