

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR PART 52**

[WI107-01-7337b; FRL-7064-5]

**Approval and Promulgation of Implementation Plans; Wisconsin****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve revisions to the minor source/minor modification pre-construction permitting requirements for Wisconsin Electric Power Company's (WE's) Pleasant Prairie Power Plant. The Pleasant Prairie Power Plant is located in Kenosha County at 8000 95th Street, Pleasant Prairie, Wisconsin. The Wisconsin Department of Natural Resources (WDNR) submitted the revised requirements on February 9, 2001, as amendments to its State Implementation Plan (SIP). The revisions include the expansion of the State's general construction permit exemption to include certain activities at the Pleasant Prairie facility. This SIP revision will not have an adverse effect on air quality.

**DATES:** EPA must receive written comments on this proposed rule by December 10, 2001.

**ADDRESSES:** You should mail written comments to: Robert Miller, Chief, Permits and Grants Section MI/MN/WI, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

You may inspect copies of the State submittal and EPA's analysis of it at: Permits and Grants Section MI/MN/WI, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

**FOR FURTHER INFORMATION CONTACT:** Robert Miller, Chief, Permits and Grants Section MI/MN/WI, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353-0396.

**SUPPLEMENTARY INFORMATION:** Throughout this document wherever "we", "us", or "our" is used we mean EPA.

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**I. What Action Is EPA Taking Today?**

We are proposing to approve revisions to pre-construction permitting requirements for WE's Pleasant Prairie Power Plant. The Pleasant Prairie Power Plant is located in Kenosha County at 8000 95th Street, Pleasant Prairie, Wisconsin. WDNR submitted the revised requirements on February 9, 2001, as amendments to its SIP. The revisions include the expansion of the State's general construction permit exemption to include certain activities at the Pleasant Prairie facility.

**II. Where Can I Find More Information About This Proposal and the Corresponding Direct Final Rule?**

For additional information see the direct final rule published in the rules section of this **Federal Register**.

Dated: September 10, 2001.

**David A. Ullrich,**

*Acting Regional Administrator, Region 5.*

[FR Doc. 01-27830 Filed 11-7-01; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 147**

[FRL-7098-2]

**Proposed Revision to That Portion of the Approved Texas Underground Injection Control (UIC) Program Administered by the Texas Natural Resource Conservation Commission (TNRCC)**

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** EPA received an application to revise portions of Texas' approved UIC program for Class I, III, IV, and V injection wells. After careful review of the application, EPA determined the revisions to TNRCC's UIC program warrant approval. Further, the relevant UIC regulation at 40 CFR 145.32(b)(2) requires that whenever EPA determines the proposed program revision is substantial, EPA shall publish its decision in the **Federal Register** and in enough large newspapers to achieve statewide coverage to allow the opportunity for the public to comment for at least 30 days. By this notification, EPA advises the public of the nature of the proposed action, time-frame during which public comment will be taken, and the address where comments should be sent. The regulation provides an opportunity for the public to request a hearing. Such a hearing shall be held

if there is significant public interest based on requests received. As such, this action advises the public of the hearing request process and opportunity to request a hearing.

The application to revise portions of the State's approved UIC program, and public comments received in response to this document, will provide EPA with the essential information necessary to approve, disapprove, or approve in part, the proposed revisions submitted under Section 1422 of the Safe Drinking Water Act (SDWA). This action is being taken to ensure that the proposed revisions of the Texas UIC program which are the Texas statutes and regulations governing underground injection are accurately incorporated by reference into the Code of Federal Regulations.

**DATES:** EPA will accept public comments and requests for hearing on the proposed revisions to the approved TNRCC UIC program from November 8, 2001 until the close of the business day of December 10, 2001.

**ADDRESSES:** Written public comments should be sent to the Environmental Protection Agency, Ground Water/UIC Section (6WQ-SG), 1445 Ross Avenue, Dallas, Texas, 75202, or electronically to [leissner.ray@epa.gov](mailto:leissner.ray@epa.gov). Please include your name, address, and optionally, your affiliation with any public or private organization. Paper copies of the revision application, related correspondence, and documents are available for examination and duplication (for a nominal fee) between the hours of 8 a.m. and 4:30 p.m. Monday through Friday at the EPA offices in Dallas.

**FOR FURTHER INFORMATION CONTACT:** *Technical Information:* Ray Leissner, Ground Water/UIC Section (6WQ-SG), Environmental Protection Agency, Region 6, (214) 665-7183.

**SUPPLEMENTARY INFORMATION:****I. Background**

Section 1421 of the SDWA requires the Administrator to promulgate minimum requirements for effective State programs to prevent underground injection activities which endanger underground sources of drinking water (USDWs). Section 1422 of the SDWA allows states to apply to the EPA Administrator for authorization of primary enforcement and permitting authority (primacy) over injection wells within the State. Section 1422(b)(1)(A) provides that States shall submit to the Administrator an application which contains a showing satisfactory to the Administrator that the State has adopted and will implement an underground injection control program which meets