National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production

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

**ACTION:** Final rule; correction of effective date.

**SUMMARY:** On September 24, 2002, EPA promulgated final rule amendments to the national emission standards for hazardous air pollutants for secondary aluminum production at 65 FR 59787. Due to errors in the composition of the notice, an incorrect effective date of November 25, 2002 was published. However, under Clean Air Act (CAA) section 112(d)(10), the final rule amendments published on September 24, 2002 were legally effective upon promulgation, and the correct effective date for those amendments was September 24, 2002. This document corrects the erroneous effective date.

**EFFECTIVE DATE:** November 8, 2002.

**SUPPLEMENTARY INFORMATION:**

The docket is an organized and complete file of the administrative record compiled by EPA in the development of the final rule to which this correction document refers. The docket is a dynamic file because material is added throughout the rulemaking process. The docketing system is intended to allow members of the public and industries involved to readily identify and locate documents so they can effectively participate in the rulemaking process. Along with the proposed and promulgated rules and their preambles, the contents of the docket will serve as the record in the case of judicial review. Other material related to this rulemaking is available for review in the docket or copies may be mailed on request from the Air Docket by calling (202) 260–7548. A reasonable fee may be charged for copying docket materials.

Worldwide Web (WWW). In addition to being available in the docket, an electronic copy of this action will also be available through the WWW.

**FURTHER INFORMATION CONTACT:** Mr. John Schaefer, U.S. EPA, Minerals and Inorganic Chemicals Group (C504–05), Air Quality Planning and Standards, Research Triangle Park, North Carolina 27711, telephone number (919) 541–0296, facsimile number (919) 541–5600, electronic mail address: schaefer.john@epa.gov.

<table>
<thead>
<tr>
<th>Category</th>
<th>NAICS code</th>
<th>SIC code</th>
<th>Examples of regulated entities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Industry</td>
<td>331314</td>
<td>3341</td>
<td>Secondary smelting and alloying of aluminum facilities.</td>
</tr>
<tr>
<td></td>
<td>331312</td>
<td>3344</td>
<td>Secondary aluminum production facility affected sources that are collocated at:</td>
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<td></td>
<td>331315</td>
<td>3353</td>
<td>Primary aluminum production facilities.</td>
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<td></td>
<td>331316</td>
<td>3354</td>
<td>Aluminum sheet, plate, and foil manufacturing facilities.</td>
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<td>331319</td>
<td>3355</td>
<td>Aluminum extruded product manufacturing facilities.</td>
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<td>331521</td>
<td>3363</td>
<td>Aluminum die casting facilities.</td>
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<td>331524</td>
<td>3365</td>
<td>Aluminum foundry facilities.</td>
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<tr>
<td>State/local/tribal governments</td>
<td></td>
<td></td>
<td>Not affected.</td>
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<tr>
<td>Federal government</td>
<td></td>
<td></td>
<td>Not affected.</td>
</tr>
</tbody>
</table>

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be regulated by this action. The table lists the types of entities that the Agency is now aware could potentially be regulated by this action. Other types of entities not listed in the table could also be regulated. To determine whether your facility is regulated by this action, you should carefully examine the applicability criteria in § 63.1500 of the rule. If you have questions regarding the applicability of this action to a particular entity, consult the contact person listed in the proceeding FOR FURTHER INFORMATION CONTACT section.

**FURTHER INFORMATION CONTACT** section.

**SUPPLEMENTARY INFORMATION:** We promulgated final rule amendments to the national emission standards for hazardous air pollutants for secondary aluminum production, 40 CFR part 63, subpart RRR, on September 24, 2002 at 65 FR 59787. However, due to errors in the composition of the those amendments, an incorrect effective date of November 25, 2002 was published in two places. Under CAA section 112(d)(10), those amendments became legally effective on the date of promulgation—September 24, 2002. Today’s document corrects the effective date of those amendments.

In the **EFFECTIVE DATE** section of the published document, the date was published as November 25, 2002. The correct effective date is September 24, 2002. We also incorrectly identified the effective date in the Congressional Review Act section of the final rule. The correct language for that section should have read as follows:

“1. Congressional Review Act

The Congressional Review Act, 5 U.S.C. 801 et seq., as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. The EPA will submit 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 United States prior to publication of the rule in the Federal Register. A major rule cannot take effect until

This rule is not a major rule as defined under 5 U.S.C. 804(2).
Dated: November 4, 2002.

Jeffrey R. Holmstead,
Assistant Administrator for Air and Radiation.

[FR Doc. 02–28501 Filed 11–7–02; 8:45 am]

BILLING CODE 6560–50–U

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 131

[FRL–7406–1]

Withdrawal of Federal Human Health and Aquatic Life Water Quality Criteria for Toxic Pollutants Applicable to Michigan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is taking direct final action to amend the Federal regulations to withdraw water quality criteria applicable to Michigan. In 1992, EPA promulgated Federal regulations establishing water quality criteria for priority toxic pollutants for 12 States and two territories, including Michigan, that had not fully complied with Clean Water Act (CWA); these regulations are known as the “National Toxics Rule” or “NTR”. Thereafter, EPA published regulations pursuant to section 118 of the CWA to establish consistent enforceable protections for the Great Lakes system (Water Quality Guidance for the Great Lakes System). In compliance with the Water Quality Guidance for the Great Lakes System, Michigan adopted water quality standards on July 29, 1997, which included numeric water quality criteria and methodologies for deriving numeric criteria for the same priority toxic pollutants included in the NTR. EPA approved these standards on August 4, 2000. Since Michigan now has criteria, effective under the CWA, for the same priority toxic pollutants in the NTR, EPA has determined that the Federally promulgated criteria are no longer needed. In this direct final rule, EPA is withdrawing Michigan from the NTR without prior proposal because EPA views this action as noncontroversial and does not anticipate adverse comment.

DATES: This rule is effective on February 6, 2003 without further notice, unless EPA receives adverse comment by December 9, 2002. If EPA receives such comment, EPA will publish a timely withdrawal of this direct final rule in the Federal Register informing the public that this rule will not take effect.

Comments postmarked after this date may not be considered.

ADDRESSES: Please send an original and three copies of comments and enclosures (including references) to W–01–15, WQCR Comment Clerk; Water Docket, U.S. EPA, 1200 Pennsylvania Ave NW, MC–4101T, Washington, DC 20460. Alternatively, comments may be submitted electronically in ASCII or Word Perfect 5.1, 5.2, 6.1, or 8.0 formats avoiding the use of special characters and any form of encryption to OW–Docket@epa.gov. Identify electronic comments by the docket number W–01–15. Submit hand delivered comments to W–01–15, EPA’s Water Docket, U.S. EPA, EPA West, 1301 Constitution Ave NW, Room B135, Washington DC 20460. No facsimiles (faxes) will be accepted. Comments will be available at the Water Docket, 202–566–2426, Monday through Friday, excluding legal holidays, during normal business hours of 8:30 a.m. to 4:30 p.m.

The supporting record for this rulemaking may be inspected at EPA Region 5, Office of Water, 77 West Jackson Boulevard, 16th Floor, Chicago, IL 60604–3507, Monday through Friday, excluding legal holidays, during normal business hours of 9 a.m. to 5 p.m.

Please contact Dave Pfeifer, as listed in the FOR FURTHER INFORMATION CONTACT section, before arriving.

A copy of Michigan’s water quality standards may be obtained electronically from EPA’s Water Quality Standards Repository, at http://www.epa.gov/waterscience/standards/wqslibrary/mi/mi.html.

FOR FURTHER INFORMATION CONTACT:
Manjali Gupta Vlcan at EPA Headquarters, Office of Water (4305T), 1200 Pennsylvania Ave NW., Washington, DC., 20460 (tel: 202–566–0373, fax 202–566–0409) or email at vlcan.manjali@epa.gov or Dave Pfeifer in EPA’s Region 5 at 312–353–9024 or e-mail at pfeifer.david@epa.gov.

SUPPLEMENTARY INFORMATION:
Potentially Regulated Entities

No one is regulated by this rule. This rule merely withdraws Federal water quality criteria applicable to Michigan.

Background

In 1992, EPA promulgated a final rule known as the “National Toxics Rule,” or “NTR,” to establish numeric water quality criteria for 12 States and two Territories, including Michigan, (hereafter “States”) that had not complied fully with section 303(c)(2)(B) of the CWA (57 FR 60800). The criteria, codified at 40 CFR 131.36, became the applicable water quality standards in...