

■ 19. On page 59075, in the second column, in § 1.283(b), in the second full sentence, after the word “individual”, insert the words “does not” and remove the word “shall” and replace it with “may”.

■ 20. On page 59075, in the second column, in § 1.283(c), italicize the paragraph heading “Post-Refusal Prior Notice Submissions”.

■ 21. On page 59075, in the second column, in § 1.283(d), italicize the paragraph heading “FDA Review After Refusal”.

■ 22. On page 59075, in the second column, in § 1.283(d)(1), in the first sentence, remove “§ 1.276(b)(4)” and replace it with “§ 1.276(b)(5)”.

■ 23. On page 59075, in the third column, in § 1.283(e), italicize the phrase “*International Mail*” and, in the second sentence, remove “section 801(m)” and replace it with “section 801(m)(1)”.

#### § 1.284 [Corrected]

■ 24. On page 59076, in the first column, in § 1.284(b)(1), capitalize the first letter of the word “federal”.

#### § 1.285 [Corrected]

■ 25. On page 59076, in the second column, in § 1.285(b), insert the phrase “under section 801(l) of the act” after the word “hold”.

■ 26. On page 59076, in the second column, in § 1.285(d), in the paragraph heading, remove the word “refused” and replace it with the word “held”; in the first sentence, insert the phrase “of the act” after the phrase “section 801(l)” and delete the phrase “of the act” after the word “hold”; and, in the second sentence, revise the phrase “within the port of arrival where the article is held, if different” to read “where the article is held”.

■ 27. On page 59076, in the second column, in § 1.285(f), in the heading, remove the word “refusal” and replace it with the word “hold”.

■ 28. On page 59076, in the second column, in § 1.285(g), in the first sentence, remove the phrase “subsection (g)” and replace it with the phrase “subsection (f)”.

■ 29. On page 59076, in the third column, in § 1.285(i)(1), insert the word “after” following the words “the facility must be registered and”.

■ 30. On page 59076, in the third column, in § 1.285(j)(1), in the first sentence, insert the phrase “of the act” after the phrase “section 801(l)”.

■ 31. On page 59076, in the third column, in § 1.285(j)(3), remove the phrase “see Prior Notice” and replace it with the phrase “see Food Facility Registration”.

■ 32. On page 59077, beginning in the second column, in § 1.285(l)(1) and (2),

remove the phrase “refused under section 801(m)(1)”, where it appears, and replace it with the phrase “placed under hold under section 801(l)” and remove the phrase “refused admission under section 801(m)(1)”, where it appears, and replace it with the phrase “subject to hold under section 801(l)”.

Dated: January 17, 2004.

**Jeffrey Shuren,**

*Assistant Commissioner for Policy.*

[FR Doc. 04-1592 Filed 1-30-04; 8:45 am]

**BILLING CODE 4160-01-S**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[TN-257-200402(a); FRL-7616-2]

### Approval and Promulgation of Implementation Plans—Tennessee: Knox County Maintenance Plan Update

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

**ACTION:** Direct final rule.

**SUMMARY:** The EPA is approving revisions to the Tennessee State Implementation Plan (SIP) submitted by the Tennessee Department of Environment and Conservation (TDEC) on August 20, 2003. This SIP revision satisfies the requirement of the Clean Air Act as amended in 1990 (CAA) for the 10-year update of the Knox County 1-hour ozone maintenance plan.

**DATES:** This direct final rule is effective April 2, 2004 without further notice, unless EPA receives adverse comment by March 3, 2004. If adverse comment is received, EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** and inform the public that the rule will not take effect.

**ADDRESSES:** Comments may be submitted by mail to: Anne Marie Hoffman, Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency Region 4, 61 Forsyth Street, SW, Atlanta, Georgia 30303-8960. Comments may also be submitted electronically, or through hand delivery/courier. Please follow the detailed instructions described in sections I.B.1 through 3 of the **SUPPLEMENTARY INFORMATION** section.

**FOR FURTHER INFORMATION CONTACT:** Anne Marie Hoffman, Air, Pesticides & Toxics Management Division, Air Planning Branch, Regulatory Development Section, Environmental Protection Agency Region 4, Atlanta

Federal Center, 61 Forsyth Street, SW, Atlanta, Georgia 30303-8960. Ms. Hoffman’s phone number is 404-562-9074. She can also be reached via electronic mail at [hoffman.annemarie@epa.gov](mailto:hoffman.annemarie@epa.gov) or Lynorae Benjamin, Air, Pesticides & Toxics Management Division, Air Planning Branch, Air Quality Modeling & Transportation Section, Environmental Protection Agency Region 4, Atlanta Federal Center, 61 Forsyth Street, SW, Atlanta, Georgia 30303-8960. Ms. Benjamin’s phone number is 404-562-9040. She can also be reached via electronic mail at [benjamin.lynorae@epa.gov](mailto:benjamin.lynorae@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

##### A. How Can I Get Copies of This Document and Other Related Information?

1. The Regional Office has established an official public rulemaking file available for inspection at the Regional Office. EPA has established an official public rulemaking file for this action under TN-257. The official public file consists of the documents specifically referenced in this action, any public comments received, and other information related to this action. Although a part of the official docket, the public rulemaking file does not include Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. The official public rulemaking file is the collection of materials that is available for public viewing at the Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency Region 4, 61 Forsyth Street, SW, Atlanta, Georgia 30303-8960. EPA requests that if at all possible, you contact the contact listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office’s official hours of business are Monday through Friday, 9 to 3:30, excluding federal holidays.

2. Copies of the State submittal and EPA’s technical support document are also available for public inspection during normal business hours, by appointment, at the State Air Agency, Tennessee Department of Environment and Conservation, Division of Air Pollution Control, L & C Annex, 401 Church Street, Nashville, TN 37243-1531.

3. *Electronic Access.* You may access this **Federal Register** document electronically through the Regulation.gov web site located at <http://>

/www.regulations.gov where you can find, review, and submit comments on Federal rules that have been published in the **Federal Register**, the Government's legal newspaper, and are open for comment.

For public commenters, it is important to note that EPA's policy is that public comments, whether submitted electronically or on paper, will be made available for public viewing at the EPA Regional Office, as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. When EPA identifies a comment containing copyrighted material, EPA will provide a reference to that material in the version of the comment that is placed in the official public rulemaking file. The entire printed comment, including the copyrighted material, will be available at the Regional Office for public inspection.

#### *B. How and to Whom Do I Submit Comments?*

You may submit comments electronically, by mail, or through hand delivery/courier. To ensure proper receipt by EPA, identify the appropriate rulemaking identification number by including the text "Public comment on proposed rulemaking TN-257" in the subject line on the first page of your comment. Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments.

1. *Electronically.* If you submit an electronic comment as prescribed below, EPA recommends that you include your name, mailing address, and an e-mail address or other contact information in the body of your comment. Also include this contact information on the outside of any disk or CD ROM you submit, and in any cover letter accompanying the disk or CD ROM. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. EPA's policy is that EPA will not edit your comment, and any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties

and cannot contact you for clarification, EPA may not be able to consider your comment.

i. *E-mail.* Comments may be sent by electronic mail (e-mail) to [hoffman.annemarie@epa.gov](mailto:hoffman.annemarie@epa.gov). Please include the text "Public comment on proposed rulemaking TN-257" in the subject line. EPA's e-mail system is not an "anonymous access" system. If you send an e-mail comment directly without going through Regulations.gov, EPA's e-mail system automatically captures your e-mail address. E-mail addresses that are automatically captured by EPA's e-mail system are included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

ii. *Regulation.gov.* Your use of Regulation.gov is an alternative method of submitting electronic comments to EPA. Go directly to Regulations.gov at <http://www.regulations.gov>, then select Environmental Protection Agency at the top of the page and use the go button. The list of current EPA actions available for comment will be listed. Please follow the online instructions for submitting comments. The system is an "anonymous access" system, which means EPA will not know your identity, e-mail address, or other contact information unless you provide it in the body of your comment.

iii. *Disk or CD ROM.* You may submit comments on a disk or CD ROM that you mail to the mailing address identified in section 2, directly below. These electronic submissions will be accepted in WordPerfect, Word or ASCII file format. Avoid the use of special characters and any form of encryption.

2. *By Mail.* Send your comments to: Anne Marie Hoffman, Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency Region 4, 61 Forsyth Street, SW, Atlanta, Georgia 30303-8960. Please include the text "Public comment on proposed rulemaking TN-257" in the subject line on the first page of your comment.

3. *By Hand Delivery or Courier.* Deliver your comments to: Anne Marie Hoffman, Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, 12th floor, U.S. Environmental Protection Agency Region 4, 61 Forsyth Street, SW, Atlanta, Georgia 30303-8960. Such deliveries are only accepted during the Regional Office's normal hours of operation. The Regional Office's official hours of business are

Monday through Friday, 9 to 3:30, excluding federal holidays.

#### *C. How Should I Submit CBI to the Agency?*

Do not submit information that you consider to be CBI electronically to EPA. You may claim information that you submit to EPA as CBI by marking any part or all of that information as CBI (if you submit CBI on disk or CD ROM, mark the outside of the disk or CD ROM as CBI and then identify electronically within the disk or CD ROM the specific information that is CBI). Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

In addition to one complete version of the comment that includes any information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the official public regional rulemaking file. If you submit the copy that does not contain CBI on disk or CD ROM, mark the outside of the disk or CD ROM clearly that it does not contain CBI. Information not marked as CBI will be included in the public file and available for public inspection without prior notice. If you have any questions about CBI or the procedures for claiming CBI, please consult the person identified in the **FOR FURTHER INFORMATION CONTACT** section.

#### *D. What Should I Consider as I Prepare My Comments for EPA?*

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.
2. Describe any assumptions that you used.
3. Provide any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at your estimate.
5. Provide specific examples to illustrate your concerns.
6. Offer alternatives.
7. Make sure to submit your comments by the comment period deadline identified.
8. To ensure proper receipt by EPA, identify the appropriate regional file/rulemaking identification number in the subject line on the first page of your response. It would also be helpful if you provided the name, date, and **Federal Register** citation related to your comments.

## **II. Background**

The air quality maintenance plan is a requirement of the 1990 CAA for

nonattainment areas that come into compliance with the national ambient air quality standards (NAAQS). Knox County was designated as nonattainment for the 1-hour ozone NAAQS on November 6, 1991. After demonstrating that the area had air quality monitoring data showing compliance with the 1-hour ozone NAAQS, the State of Tennessee requested that the EPA redesignate Knox County to attainment for the 1-hour ozone standard on August 26, 1992. Included with this request was a 10-year air quality maintenance plan covering the years 1994 to 2004. This plan was developed in accordance with the appropriate guidelines. The EPA published a **Federal Register** notice approving this plan and the redesignation to attainment on September 27, 1993 with an effective date of October 27, 1993 (58 FR 50271).

Subsequent revisions to this maintenance plan have been made. The current plan was approved by the EPA on August 5, 1997, and became effective on October 6, 1997 (62 FR 42068). TDEC revised the original plan to update emissions inventories reflecting more accurate emission estimates and to

define specific Motor Vehicle Emissions Budgets (MVEB).

This SIP revision satisfies the requirement of the CAA for the 10-year update of the Knox County 1-hour ozone maintenance plan. Changes to the current maintenance plan include revisions to the emissions inventory for both on-road and non-road mobile sources, improved methodologies contained in the MOBILE6 and NONROAD emission models. New emissions data for both the base year (attainment year) and the projected years (2004 and 2014) are calculated. Also, updated MVEB in support of the transportation conformity process, are defined for volatile organic compounds (VOC) and nitrogen oxides (NO<sub>x</sub>) for the county. The updated budgets for 2004 replace previous MVEB contained in the first maintenance plan, which were based on an older emissions estimate using MOBILE5 emission factors for on-road motor vehicles. Additionally, this maintenance plan update provides a new MVEB for the year 2014. EPA has determined that the MVEB in the State Implementation Plan are adequate for transportation conformity purposes. The availability of the SIP with MVEB for 2014 was placed on EPA's adequacy

web page on August 27, 2003. No request for this SIP submittal or adverse comments were received by the end of the public comment period on October 3, 2003. In this action, EPA finds the 2014 MVEB adequate for transportation conformity, and is approving the MVEB for 2004 and 2014. Note, since the 2004 MVEB are replacing existing MVEB, these budgets are not subject to EPA's Adequacy process.

**III. Analysis of State's Submittal**

On August 20, 2003, the TDEC submitted revisions to the Tennessee SIP for the new 10-year maintenance plan to provide a 10-year extension to the maintenance plan as required by section 175A(b) of the CAA as amended in 1990. The underlying strategy of the maintenance plan is to maintain compliance with the 1-hour ozone standard by assuring that current and future emissions of VOC and NO<sub>x</sub> remain at or below attainment year emission levels. Actual emissions for the 1990 ozone season and estimated emissions of ozone precursors (*i.e.*, VOC and NO<sub>x</sub>) for Knox County during 2004 and 2014 are provided in the following table.

*Projected Emissions*

**VOLATILE ORGANIC COMPOUNDS**  
[Tons per day]

VOC	Category	1990 base year	2004	2014
Knox .....	Stationary Point .....	8.06	8.90	10.26
	Stationary Area .....	28.82	30.90	32.48
	On-Road Mobile .....	40.84	21.27	10.51
	Non-Road Mobile .....	9.81	10.52	11.06
	Biogenic .....	32.43	32.43	32.43
Total .....	.....	119.96	104.02	96.74
Safety Margin .....	Calculated as 1990 base-year minus projected year total.	.....	15.94	23.22

**NITROGEN OXIDES**  
[Tons per day]

NO <sub>x</sub>	Category	1990 base year	2004	2014
Knox .....	Stationary Point .....	8.96	11.73	13.17
	Stationary Area .....	3.66	3.92	4.13
	On-Road Mobile .....	37.62	31.10	13.27
	Non-Road Mobile .....	9.77	10.48	11.01
	Biogenic .....	0.00	0.00	0.00
Total .....	.....	60.01	57.23	41.58
Safety Margin .....	Calculated as 1990 base-year minus projected year total.	.....	2.79	18.43

Motor Vehicle Emissions Budgets

Section 176(c) of the CAA, 42 U.S.C. 7506(c), states that transportation plans, programs, and projects must conform to an approved implementation plan. Pursuant to 40 CFR part 93 (*i.e.*, the Transportation Conformity Rule) a specific emissions budget is defined for VOC and NO<sub>x</sub> for Knox County. The MVEB, based on the on-road mobile sources, are to be used by the local metropolitan planning organizations and transportation authorities to assure that transportation plans, programs, and projects are consistent with, and conform to, the long term maintenance of acceptable air quality in Knox County.

The MVEB are defined for the county, for 2004 and 2014, in the State's submittal. The values, for both years, are equal to the 2004 on-road mobile source projected level of emissions plus an allocation from the safety margin. This allocation from the safety margin accounts for uncertainty in the projections and is available because of significant reductions of VOC and NO<sub>x</sub> that have occurred, and are projected to occur, primarily from mobile sources. The MVEB are constrained in each of the budget years to assure that the total emissions (*i.e.*, all source categories) do not exceed the 1990 attainment year emissions. In no case are the projected total emissions (*i.e.*, all source categories and including the allocation from the safety margin to the on-road mobile source category), for any year, greater than the attainment year emissions totals for either VOC or NO<sub>x</sub>. Under 40 CFR 93.101 the term safety margin is the difference between the attainment level (from all sources) and the projected level of emissions (from all sources) in the maintenance plan. The attainment level of emissions is the level of emissions during one of the years in which the area met the air quality health standard. The safety margin credit can be allocated to the transportation sector, however the total emission level must stay below the attainment level. The following table defines the MVEB for Knox County.

MVEB  
[Tons per day]

County	Pollutant	2004	2014
		29.24 33.89	22.12 22.49
Knox .....	VOC NO <sub>x</sub>		

For the year 2004, the safety margins were 15.94 tpd for VOC and 2.79 tpd for NO<sub>x</sub>. After partial allocation of the VOC safety margin and full allocation of the

NO<sub>x</sub> safety margin to the MVEB, the remaining safety margins in 2004 are 7.97 tpd for VOC and 0.00 tpd for NO<sub>x</sub>. In 2014, the safety margins were 23.22 tpd for VOC and 18.43 tpd for NO<sub>x</sub>. After partial allocation of the safety margin to the MVEB, the remaining safety margins in 2014 are now 11.61 tpd for VOC and 9.22 tpd for NO<sub>x</sub>.

**IV. Final Action**

EPA is approving the aforementioned changes to the State of Tennessee SIP because they are consistent with the CAA and EPA policy. The EPA is publishing this rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. However, in the proposed rules section of this **Federal Register** publication, EPA is publishing a separate document that will serve as the proposal to approve the SIP revision should adverse comments be filed. This rule will be effective April 2, 2004 without further notice unless the Agency receives adverse comments by March 3, 2004.

If the EPA receives such comments, then EPA will publish a document withdrawing the final rule and informing the public that the rule will not take effect. All public comments received will then be addressed in a subsequent final rule based on the proposed rule. The EPA will not institute a second comment period. Parties interested in commenting should do so at this time. If no such comments are received, the public is advised that this rule will be effective on April 2, 2004 and no further action will be taken on the proposed rule. Please note that if we receive adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, we may adopt as final those provisions of the rule that are not the subject of an adverse comment.

**V. Statutory and Executive Order Reviews**

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a "significant regulatory action" and therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, "Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use" (66 FR 28355, May 22, 2001). This action merely approves state law as meeting Federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this rule

will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule approves pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4).

This rule also does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This action also does not have Federalism implications because it does 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, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This action merely approves a state rule implementing a Federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. This rule also is not subject to Executive Order 13045 "Protection of Children from Environmental Health Risks and Safety Risks" (62 FR 19885, April 23, 1997), because it is not economically significant.

In reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. In this context, in the absence of a prior existing requirement for the State to use voluntary consensus standards (VCS), EPA has no authority to disapprove a SIP submission for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a SIP submission, to use VCS in place of a SIP submission that otherwise satisfies the provisions of the Clean Air Act. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

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. 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 60 days after it is published in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by April 2, 2004. Filing a petition for reconsideration by

the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

**List of Subjects in 40 CFR Part 52**

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

Dated: January 20, 2004.

**A. Stanley Meiburg,**  
Acting Regional Administrator, Region 4.  
■ Part 52 of chapter I, title 40, *Code of Federal Regulations*, is amended as follows:

**PART 52—[AMENDED]**

■ 1. The authority citation for part 52 continues to read as follows:

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

**Subpart RR—Tennessee**

■ 2. Section 52.2220(e), is amended by adding a new table, "EPA Approved Tennessee Non-Regulatory Provisions," to read as follows:

**§ 52.2220 Identification of plan.**

\* \* \* \* \*

(e) EPA-Approved Tennessee Non-Regulatory Provisions

**EPA-APPROVED TENNESSEE NON-REGULATORY PROVISIONS**

Name of non-regulatory SIP provision	Applicable geographic or nonattainment area	State effective date	EPA approval date	Explanation
Revision to Maintenance Plan Update for Knox County, Tennessee.	Knox County, TN .....	July 16, 2003 .....	2/4/04 [Insert citation of publication].	

[FR Doc. 04-1970 Filed 1-30-04; 8:45 am]

BILLING CODE 6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Parts 52 and 81**

[OH158-1a; FRL-7616-4]

**Redesignation and Approval of Ohio Implementation Plan**

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

**ACTION:** Direct final rule.

**SUMMARY:** EPA is redesignating Lucas County, Ohio to an attainment area for sulfur dioxide (SO<sub>2</sub>). In addition, EPA is approving Ohio's plan for continuing to attain the SO<sub>2</sub> standards in Lucas County. EPA is further approving selected State emission limits. Ohio requested these actions on March 25, 1999.

**DATES:** This rule is effective on March 18, 2004, unless the EPA receives relevant adverse written comments by March 3, 2004. If EPA receives adverse comment, we will publish a timely withdrawal of the rule in the **Federal Register** and inform the public that the rule will not take effect.

**ADDRESSES:** Send comments to: J. Elmer Bortzer, Acting Chief, Air Programs Branch (AR-18J), United States Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

Comments may also be submitted electronically or through hand delivery/courier, according to the detailed instructions described in Part(I)(B)(1)(i) through (iii) of the **SUPPLEMENTARY INFORMATION** section. Copies of the State's submittal are available for inspection at the following address: (We recommend that you telephone John Summerhays at (312) 886-6067 before visiting the Region 5 Office.)

U.S. Environmental Protection Agency, Region 5, Air and Radiation Division (AR-18J), 77 West Jackson Boulevard, Chicago, Illinois 60604.

**FOR FURTHER INFORMATION CONTACT:** John Summerhays, Criteria Pollutant Section, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, Region 5, Chicago, Illinois 60604, (312) 886-6067, *summerhays.john@epa.gov*.

**SUPPLEMENTARY INFORMATION:** This supplemental information section is organized as follows:

- I. General Information
- II. Background and Criteria for Review
- III. Review of Emission Limit Revisions
- IV. Review of Redesignation Request

- A. Has the area attained the standards?
- B. Has EPA fully approved the applicable implementation plan?
- C. Is attainment due to permanent and enforceable emission reductions?
- D. Does the maintenance plan assure continued attainment?
- E. Has the State met the requirements of section 110 and part D?
- V. Rulemaking Action
- VI. Statutory and Executive Order Reviews

**I. General Information**

*A. How Can I Get Copies of This Document and Other Related Information?*

1. *The Regional Office has established an official public rulemaking file available for inspection at the Regional Office.* EPA has established an official public rulemaking file for this action under "Region 5 Air Docket OH158". The official public file consists of the documents specifically referenced in this action, any public comments received, and other information related to this action. Although a part of the official docket, the public rulemaking file does not include Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. The official public rulemaking file is the collection of materials that is available for public viewing at the Air Programs Branch, Air