

### VIII. Proposed Action

EPA is proposing to approve the Commonwealth's SIP revision because it meets all of the requirements of section 110 of the Clean Air Act.

Additionally, this SIP revision request meets the applicable requirements of the Transportation Conformity Rule. The Commonwealth has identified a VOC and NO<sub>x</sub> safety margin for 2010, and has chosen to allocate a portion of this safety margin to the MVEBs. The 1.5 tpd for VOC and the 2.0 tpd for NO<sub>x</sub> allocated to mobile sources still allow sufficient growth margin for stationary sources and maintain the total emissions for the area at the attainment year inventory level as required by the transportation conformity regulations. EPA is soliciting public comments on the issues discussed in this document.

### IX. Statutory and Executive Order Reviews

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this proposed 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 proposed action merely proposes to approve state law as meeting Federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this proposed 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 proposes to approve 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 proposed 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 proposes to approve 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 proposed 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 proposed 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.*).

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

Environmental protection, Air pollution control, Intergovernmental relations, Nitrogen dioxide, Ozone, Volatile organic compounds.

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

Dated: March 10, 2003.

**A. Stanley Meiburg,**

*Acting Regional Administrator, Region 4.*  
[FR Doc. 03-6584 Filed 3-18-03; 8:45 am]

**BILLING CODE 6560-50-P**

### DEPARTMENT OF TRANSPORTATION

#### Research and Special Programs Administration

#### 49 CFR Part 192

[Docket No. RSPA-00-7666; Notice 5]

RIN 2137-AD54

#### Pipeline Safety: Pipeline Integrity Management in High Consequence Areas (Gas Transmission Pipelines)

**AGENCY:** Office of Pipeline Safety (OPS), Research and Special Programs Administration (RSPA), DOT.

**ACTION:** Proposed rule; notice of extension of comment period.

**SUMMARY:** This notice extends the period for comment on the notice of proposed rulemaking published in the *Federal Register* on January 28, 2003 (68 FR 4278), from March 31, 2003, to April 30, 2003. The proposed rule requires operators to develop integrity management programs for gas transmission pipelines that, in the event of a failure, could impact high consequence areas (HCAs).

**DATES:** The comment period for interested persons to submit written comments on the proposed gas pipeline integrity management rule ends April 30, 2003.

#### ADDRESSES:

#### Filing Information

You may submit written comments by mail or delivery to the Dockets Facility, U.S. Department of Transportation, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001. It is open from 10 a.m. to 5 p.m., Monday through Friday, except Federal holidays. All written comments should identify the docket and notice numbers stated in the heading of this notice. Anyone desiring confirmation of mailed comments must include a self-addressed stamped postcard.

#### Electronic Access

You may also submit written comments to the docket electronically. To submit comments electronically, access the following Internet Web address: <http://dms.dot.gov>. Click on "Help & Information" for instructions on how to file a document electronically.

#### Privacy Act Information

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if

submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (volume 65, number 70; pages 19477-78), or you may visit <http://dms.dot.gov>.

#### General Information

You may contact the Dockets Facility by phone at (202) 366-9329, for copies of this proposed rule or other material in the docket. All materials in this docket may be accessed electronically at <http://dms.dot.gov/search>. Once you access this address, type in the last four digits of the docket number shown at the beginning of this notice (in this case 7666), and click on search. You will then be connected to all relevant information.

#### FOR FURTHER INFORMATION CONTACT:

Mike Israni by phone at (202) 366-4571, by fax at (202) 366-4566, or by e-mail at [mike.israni@rspa.dot.gov](mailto:mike.israni@rspa.dot.gov), regarding the subject matter of this proposed rule. General information about the RSPA/OPS programs may be obtained by accessing RSPA's Internet page at <http://RSPA.dot.gov>.

**SUPPLEMENTARY INFORMATION:** RSPA/OPS published a proposed rule on pipeline integrity management in high consequence areas for gas transmission pipelines on January 28, 2003 (68 FR 4278). That notice provided a 60-day comment period ending on March 31, 2003. By petition dated March 6, 2003, the American Gas Association (AGA), the American Public Gas Association (APGA), and the Interstate Natural Gas Association of America (INGAA) requested that the comment period be extended by 60 days, from March 31, 2003, to May 30, 2003.

In the petition, the associations argue that because the proposed rule is lengthy and complex, additional time is necessary to analyze the proposal and prepare comments. The petition also refers to the public meeting on March 14, 2003, where OPS will discuss the proposed rule. The associations maintain it will take time for them to inform their member companies about the discussions at the meeting so that the companies can use the information in developing their comments.

RSPA/OPS has decided to extend the comment period in light of the request and the complexity of this proposed rule. RSPA/OPS does not consider that a 60-day extension is necessary. A statutory requirement (Pipeline Safety Improvement Act of 2002, 49 U.S.C. 60109(c)) requires us to publish the final rule by December 17, 2003. A 60-day extension of the comment period would

not allow us to meet this statutory deadline. A 30-day extension provides 45 days after the public meeting for interested parties to submit comments.

RSPA/OPS believes that an extension of the comment period by 30 days from the existing closing date (March 31, 2003) is reasonable; the comment period is hereby extended to April 30, 2003.

Issued in Washington, DC on March 13, 2003.

**Stacey L. Gerard,**

*Associate Administrator for Pipeline Safety.*

[FR Doc. 03-6626 Filed 3-18-03; 8:45 am]

**BILLING CODE 4910-60-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

#### 49 CFR Part 397

[Docket No. FMCSA-02-11650 (HM-232A)]

RIN 2137-AD70

#### Security Requirements for Motor Carriers Transporting Hazardous Materials

**ACTION:** Notice.

**SUMMARY:** This notice advises the public that the Research and Special Programs Administration (RSPA) has assumed the lead role from the Federal Motor Carrier Safety Administration (FMCSA) for rulemaking addressing the security of motor carrier shipments of hazardous materials. On July 16, 2002, the two agencies published a joint advance notice of proposed rulemaking (ANPRM), requesting comments on technological and operational measures to enhance hazardous materials transportation security. Because the Homeland Security Act of 2002 provides RSPA with enhanced authority to regulate hazardous materials transportation security, RSPA will lead further rulemaking development on this subject.

**DATES:** This notice is effective March 19, 2003.

**ADDRESSES:** You can mail, fax, hand deliver or electronically submit written comments to the U.S. Department of Transportation, Dockets Management Facility, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001, FAX (202) 493-2251, on-line at <http://dmses.dot.gov/submit>. You must include in your comment the docket number that appears in the heading of this document. You can examine and copy all comments at the above address from 9 a.m. to 5 p.m., EDT, Monday through Friday, except Federal holidays.

You can also view all comments or download an electronic copy of this document from the DOT Docket Management System (DMS) at <http://dms.dot.gov/search.htm> by typing the last five digits of the document number appearing at the heading of this document. The DMS is available 24 hours each day, 365 days each year. You can get electronic submission and retrieval help and guidelines at the "Help" section of the Web site. If you want us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard, or print the acknowledgement page that appears after submitting comments on-line.

#### FOR FURTHER INFORMATION CONTACT:

Susan Gorsky, Office of Hazardous Materials Standards, Research and Special Programs Administration, 202-366-8553.

**SUPPLEMENTARY INFORMATION:** On July 16, 2002, FMCSA and RSPA published a joint ANPRM entitled "Security Requirements for Motor Carriers Transporting Hazardous Materials" (67 FR 46622). In the ANPRM, RSPA and FMCSA sought information on the feasibility of imposing specific security requirements on motor carriers that transport hazardous materials in commerce. The ANPRM noted that certain government agencies, including the Department of Defense, the Department of Energy, and the Nuclear Regulatory Commission, as well as some private companies, employ rigorous security measures to protect sensitive shipments and suggested that some of these security measures could also be appropriate for broader application to commercial motor carrier shipments of hazardous materials. In addition, the ANPRM described technological solutions for tracking shipments, communicating with drivers, or securing shipments within trailers that can protect shipments from hijacking or provide an early indication of a potential security problem. The ANPRM asked for comments on the feasibility of mandating technological or operational measures such as escorts, vehicle tracking and monitoring systems, emergency warning systems, remote shut-offs, direct short-range communications, and advance notification of shipments to state and local authorities. After an extension, the comment period for the ANPRM closed November 15, 2002. Comments received in response to the ANPRM are accessible through DOT's Dockets Management System under Docket No. FMCSA-01-11650 (HM-232A).