

*Takings (Executive Order 12630)*

In accordance with Executive Order 12630, the rule does not have significant takings implications. A takings implication assessment is not required. No taking of personal property will occur as a result of this rule.

*Federalism (Executive Order 13132)*

This rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment pursuant to Executive Order 13132. This rule only affects the use of roads on NPS administered lands. 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.

*Civil Justice Reform (Executive Order 12988)*

In accordance with Executive Order 12988, the Office of the Solicitor has determined that this rule does not unduly burden the judicial system and meets the requirements of sections 3(a) and 3(b)(2) of the Order.

*Paperwork Reduction Act*

This regulation does not require an information collection from 10 or more parties and a submission under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*) is not required. An OMB form 83-I is not required.

*National Environmental Policy Act*

The National Park Service has analyzed this rule in accordance with the criteria of the National Environmental Policy Act of 1969 (42 U.S.C. 4321-4370d) and the Department of the Interior Manual (516 DM 1.1-7.7). The regulation has been found to be covered by an applicable categorical exclusion (516 DM 6, Appendix 7.4 A.10), and no exceptions to categorical exclusions (516 DM 2, Appendix 2) apply to the regulation. The National Park Service has documented this finding in accord with the agency's procedures (Director's Order #12: Conservation Planning, Environmental Impact Analysis, and Decision-making, and the accompanying Handbook). As a result, the National Park Service is not legally required to prepare, and has not prepared, either an environmental assessment (EA) or an environmental impact statement (EIS).

**Government-to-Government Relationship With Tribes**

In accordance with Executive Order 13175 "Consultation and Coordination with Indian Tribal Governments" (65 FR

67249), the President's memorandum of April 29, 1994, "Government to Government Relations with Native American Tribal Governments" (59 FR 22951), and 512 DM 2, we have evaluated potential effects on federally recognized Indian tribes and determined that there are no potential effects.

**List of Subjects in 36 CFR Part 4**

National parks, Traffic regulations.

■ Accordingly, the NPS amends 36 CFR part 4 as follows:

**PART 4—VEHICLES AND TRAFFIC SAFETY**

■ 1. The authority citation for part 4 continues to read as follows:

**Authority:** 16 U.S.C. 1, 3, 9a, 462(k).

■ 2. Section 4.23(a)(2) is revised to read as follows:

**§ 4.23 Operating under the influence of alcohol or drugs.**

(a) \* \* \*

(2) The alcohol concentration in the operator's blood or breath is 0.08 grams or more of alcohol per 100 milliliters of blood or 0.08 grams or more of alcohol per 210 liters of breath. Provided however, that if State law that applies to operating a motor vehicle while under the influence of alcohol establishes more restrictive limits of alcohol concentration in the operator's blood or breath, those limits supersede the limits specified in this paragraph.

\* \* \* \* \*

Dated: July 11, 2003.

**Craig Manson,**

*Assistant Secretary for Fish and Wildlife and Parks.*

[FR Doc. 03-19965 Filed 8-5-03; 8:45 am]

**BILLING CODE 4312-52-P**

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 52**

**[NC-200317; FRL-7524-4]**

**Approval and Promulgation of Air Quality Implementation Plans; Forsyth County, North Carolina Update to Materials Incorporated by Reference**

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

**ACTION:** Final rule; notice of administrative change.

**SUMMARY:** EPA is revising the format of 40 CFR part 52 for materials submitted by North Carolina that are incorporated by reference (IBR) into the Forsyth County portion of the North Carolina

state implementation plan (SIP). The regulations affected by this update have been previously submitted by the Local agency through the State agency and approved by EPA. This update affects the SIP materials that are available for public inspection at the Office of the Federal Register (OFR), Office of Air and Radiation Docket and Information Center, and the Regional Office.

**EFFECTIVE DATE:** This action is effective August 6, 2003.

**ADDRESSES:** SIP materials which are incorporated by reference into 40 CFR part 52 are available for inspection at the following locations: Environmental Protection Agency, Region 4, 61 Forsyth Street, SW., Atlanta, GA 30303; Office of Air and Radiation Docket and Information Center, Room B-108, 1301 Constitution Avenue, (Mail Code 6102T) NW., Washington, DC 20460, and Office of the Federal Register, 800 North Capitol Street, NW., Suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Ms. Rosymar De La Torre Colon at the above Region 4 address or at (404) 562-8965. Email: [delatorre.rosymar@epa.gov](mailto:delatorre.rosymar@epa.gov).

**SUPPLEMENTARY INFORMATION:** The SIP is a living document which the State can revise as necessary to address the unique air pollution problems in the state. Therefore, EPA from time to time must take action on SIP revisions containing new and/or revised regulations as being part of the SIP. On May 22, 1997, (62 FR 27968) EPA revised the procedures for incorporating by reference Federally-approved SIPs, as a result of consultations between EPA and OFR. The description of the revised SIP document, IBR procedures and "Identification of plan" format are discussed in further detail in the May 22, 1997, **Federal Register** document. On October 22, 2002, EPA published a document in the **Federal Register** (67 FR 64999) beginning the table for Forsyth County, North Carolina IBR material. In this document EPA is doing the update to the material being IBRed.

EPA has determined that today's rule falls under the "good cause" exemption in section 553(b)(3)(B) of the Administrative Procedures Act (APA) which, upon finding "good cause," authorizes agencies to dispense with public participation and section 553(d)(3) which allows an agency to make a rule effective immediately (thereby avoiding the 30-day delayed effective date otherwise provided for in the APA). Today's rule simply codifies provisions which are already in effect as a matter of law in Federal and approved State programs. Under section 553 of the APA, an agency may find good cause

where procedures are “impractical, unnecessary, or contrary to the public interest.” Public comment is “unnecessary” and “contrary to the public interest” since the codification only reflects existing law. Immediate notice in the CFR benefits the public by updating citations.

#### 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 (Public Law 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. section 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. section 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 October 6, 2003. 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, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping

requirements, Sulfur oxides, Volatile organic compounds.

Dated: June 16, 2003.

**A. Stanley Meiburg,**

*Acting Regional Administrator, Region 4.*

■ 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 II

■ 2. Section 52.1770 is amended by revising paragraph (b) and revising table 2 in paragraph (c) to read as follows:

#### § 52.1770 Identification of plan.

\* \* \* \* \*

(b) Incorporation by reference.

(1) Material listed in paragraph (c) of this section with an EPA approval date prior to December 1, 2002, for North Carolina (Table 1 of the North Carolina State Implementation Plan), January 1, 2003 for Forsyth County, North Carolina (Table 2 of the North Carolina State Implementation Plan) and January 1, 2003, for Mecklenburg County, North Carolina (Table 3 of the North Carolina State Implementation Plan), was approved for incorporation by reference by the Director of the **Federal Register** in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Material is incorporated as it exists on the date of the approval, and notice of any change in the material will be published in the **Federal Register**. Entries in paragraphs (c) of this section with EPA approval dates after January 1, 2003, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 4 certifies that the rules/regulations provided by EPA in the SIP compilations at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated State rules/regulations which have been approved as part of the State and local implementation plans listed in paragraph (b)(1) of this section.

(3) Copies of the materials incorporated by reference may be inspected at the Region 4 EPA Office at 61 Forsyth Street, SW., Atlanta, GA 30303; the Office of the Federal Register, 800 North Capitol Street, NW., Suite 700, Washington, DC; or at the EPA, Office of Air and Radiation Docket and Information Center, Room B–108, 1301 Constitution Avenue, (Mail Code 6102T) NW., Washington, DC 20460.

(c) \* \* \*

TABLE 2.—EPA APPROVED FORSYTH COUNTY, NORTH CAROLINA REGULATIONS

State citation	Title/subject	State effective date	EPA approval date	Comments
<b>Subchapter 3A Air Pollution Control Requirements</b>				
<b>Section .0100 In General</b>				
Sect. .0101	Department Established	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0102	Enforcement of Chapter	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0103	General Powers and Duties of Director	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0104	Authority of Director to Establish Administrative Procedures	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0105	Fees for Inspections, Permits, and Certificates Required by Chapter.	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0106	Penalties for Violation of Chapter	01/17/97	02/17/00, 65 FR 8053.	
Sect. .0107	Civil Relief for Violations of Chapter	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0108	Chapter Does Not Prohibit Private Actions For Relief	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0109	Judicial Review of Administrative Decisions Rendered Under Chapter.	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0111	Copies of Referenced Federal Regulations	06/14/1990	05/02/91, 56 FR 20140.	
<b>Section .0200 Advisory Board</b>				
Sect. .0201	Established; Composition; Terms of Members	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0202	Secretary	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0203	Meetings	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0204	To Serve in Advisory Capacity; General Functions	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0205	Appeals to and Other Appearances Before Board	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0206	Opinions Not Binding	06/14/1990	05/02/91, 56 FR 20140.	
<b>Section .0300 Remedies for Enforcement of Standards—Special Orders</b>				
Sect. .0301	Applicability	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0302	Issuance	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0303	Definitions	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0304	Categories of Sources	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0305	Enforcement Procedures	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0306	Required Procedures for Issuance of Special Orders by Consent and Special Orders.	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0307	Documentation for Special Orders	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0308	Public Hearing	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0309	Compliance Bonds	06/14/1990	05/02/91, 56 FR 20140.	
<b>Section .0400 Forsyth County Air Quality Technical Code</b>				
Sect. .0401	Adopted	06/14/1990	05/02/91, 56 FR 20140.	
<b>Subchapter 3B Relationship to State Code</b>				
Sect. .0101	In General	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0102	Air Pollution Control Requirements (Subchapter 3D)	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0103	Air Quality Permits (Subchapter 3Q)	06/14/1990	05/02/91, 56 FR 20140.	
<b>Subchapter 3D Air Pollution Control Requirements</b>				
<b>Section .0100 Definitions and References</b>				
Sect. .0101	Definitions	11/6/98	02/17/00, 65 FR 8093.	
Sect. .0103	Copies Referenced Federal Regulations	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0104	Incorporation by Reference	05/24/99	10/22/02, 67 FR 64994.	
<b>Section .0200 Air Pollution Sources</b>				
Sect. .0201	Classification of Air Pollution Sources	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0202	Registration of Air Pollution Sources	06/14/1990	05/02/91, 56 FR 20140.	
<b>Section .0300 Air Pollution Emergencies</b>				
Sect. .0301	Purpose	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0302	Episode Criteria	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0303	Emission Reduction Plans	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0304	Preplanned Abatement Program	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0305	Emission Reduction Plan: Alert Level	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0306	Emission Reduction Plan: Warning Level	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0307	Emission Reduction Plan: Emergency Level	06/14/1990	05/02/91, 56 FR 20140.	

TABLE 2.—EPA APPROVED FORSYTH COUNTY, NORTH CAROLINA REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Comments
<b>Section .0400 Ambient Air Quality Standards</b>				
Sect. .0401	Purpose	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0402	Sulfur Oxides	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0403	Total Suspended Particulates	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0404	Carbon Monoxide	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0405	Ozone	05/24/2999	10/22/02, 67 FR 64994.	
Sect. .0407	Nitrogen Dioxide	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0408	Lead	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0409	PM 10 Particulate Matter	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0410	PM 2.5 Particulate Matter	05/24/99	10/22/02, 67 FR 64994.	
<b>Section .0500 Emission Control Standards</b>				
Sect. .0501	Compliance With Emission Control Standards	05/24/99	10/22/02, 67 FR 64994.	
Sect. .0502	Purpose	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0503	Particulates From Fuel Burning Indirect Heat Exchangers	05/24/99	10/22/02, 67 FR 64994.	
Sect. .0504	Particulates From Wood Burning Indirect Heat Exchangers	05/24/99	10/22/02, 67 FR 64994.	
Sect. .0506	Particulates from Hot Mix Asphalt Plants	11/6/98	02/17/00, 65 FR 8053.	
Sect. .0507	Particulates from Chemical Fertilizer Manufacturing Plants	11/6/98	02/17/00, 65 FR 20140.	
Sect. .0508	Particulates from Pulp and Paper Mills	11/6/98	2/17/00, 65 FR 8053.	
Sect. .0509	Particulates from MICA or FELDSPAR Processing Plants	11/6/98	2/17/00, 65 FR 8053.	
Sect. .0510	Particulates from Sand, Gravel, or Crushed Stone Operations.	11/6/98	2/17/00, 65 FR 8053.	
Sect. .0511	Particulates from Lightweight Aggregate Processes	11/6/98	2/17/00, 65 FR 8053.	
Sect. .0512	Particulates from Wood Products Finishing Plants	11/6/98	2/17/00, 65 FR 8053.	
Sect. .0513	Particulates From Portland Cement Plants	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0514	Particulates From Ferrous Jobbing Foundries	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0515	Particulates from Miscellaneous Industrial Processes	11/6/98	2/17/00, 65 FR 8053.	
Sect. .0516	Sulfur Dioxide Emissions from Combustion Sources	11/6/98	2/17/00, 65 FR 8053.	
Sect. .0517	Emissions from Plants Producing Sulfuric Acid	11/6/98	2/17/00, 65 FR 8053.	
Sect. .0519	Control of Nitrogen Dioxide and Nitrogen Oxides Emissions	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0521	Control of Visible Emissions	11/6/98	2/17/00, 65 FR 8053.	
Sect. .0522	Control and Prohibition of Odorous Emissions	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0524	New Source Performance Standards	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0527	Emissions from Spodumene Ore Roasting	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0528	Total Reduced Sulfur from Kraft Pulp Mills	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0529	Flouride Emissions from Primary Aluminum <sup>24</sup> Reduction Plants.	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0530	Prevention of Significant Deterioration	10/10/97	12/31/98 63 FR 72190.	
Sect. .0531	Sources in Nonattainment Areas	11/6/98	2/17/00 65 FR 8053.	
Sect. .0532	Sources Contributing to an Ambient Violation	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0533	Stack Heights	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0534	Flouride Emissions From Phosphate Fertilizer Industry	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0535	Excess Emissions Reporting and Malfunctions	11/6/98	2/17/00 65 FR 8053.	
Sect. .0536	Particulate Emissions From Electric Utility Boilers	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0537	Control of Mercury Emissions	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0538	Control of Ethylene Oxide Emissions	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0539	Odor Control of Feed Ingredient Manufacturing Plants	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0540	Particulates from Fugitive Non-Process Dust Emission Sources.	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0541	Control of Emissions from Abrasive Blasting	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0542	Control of Particulate Emissions from Cotton Ginning Operations.	06/14/1990	05/02/91, 56 FR 20140.	
<b>Section .0600 Monitoring: Recordkeeping: Reporting</b>				
Sect. .0601	Purpose and Scope	05/24/99	10/22/02, 67 FR 64994.	
Sect. .0602	Definitions	05/24/99	10/22/02, 67 FR 64994.	
Sect. .0604	Exceptions to Monitoring and Reporting Requirements	05/24/99	10/22/02, 67 FR 64994.	
Sect. .0605	General Recordkeeping and Reporting Requirements	05/24/99	10/22/02, 67 FR 64994.	
Sect. .0606	Sources Covered By Appendix P of 40 CFR Part 51	05/24/99	10/22/02, 67 FR 64994.	
Sect. .0607	Large Wood and Wood-fossil Fuel Combination Units	05/24/99	10/22/02, 67 FR 64994.	
Sect. .0611	Monitoring Emissions From Other Sources	05/24/99	10/22/02, 67 FR 64994.	
Sect. .0612	Alternative Monitoring and Reporting Procedures	05/24/99	10/22/02, 67 FR 64994.	
Sect. .0613	Quality Assurance Program	05/24/99	10/22/02, 67 FR 64994.	
Sect. .0614	Compliance Assurance Monitoring	05/24/99	10/22/02, 67 FR 64994.	
Sect. .0615	Delegation	06/14/1990	05/02/91, 56 FR 20140.	
<b>Section .0800 Transportation Facilities</b>				
Sect. .0801	Purpose and Scope	06/14/1990	05/02/91 56 FR 20140	

TABLE 2.—EPA APPROVED FORSYTH COUNTY, NORTH CAROLINA REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Comments
Sect. .0802	Definitions	06/14/1990	05/02/91, 56 FR 20140	
Sect. .0803	Highway Projects	06/14/1990	05/02/91, 56 FR 20140	
Sect. .0804	Airport Facilities	06/14/1990	05/02/91, 56 FR 20140	
Sect. .0805	Parking Facilities	06/14/1990	05/02/91, 56 FR 20140	
Sect. .0806	Ambient Monitoring and Modeling Analysis	06/14/1990	05/02/91, 56 FR 20140.	
<b>Section .0900 Volatile Organic Compounds</b>				
Sect. .0901	Definitions	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0902	Applicability	10/10/97	12/31/98, 63 FR 72190.	
Sect. .0903	Recordkeeping: Reporting: Monitoring	05/24/99	10/22/02, 67 FR 64994.	
Sect. .0906	Circumvention	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0909	Compliance Schedules for Sources in New Nonattainment Areas.	11/6/98	2/17/00, 65 FR 8053.	
Sect. .0912	General Provisions on Test Methods and Procedures	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0913	Determination of Volatile Content of Surface Coatings	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0914	Determination of VC Emission Control System Efficiency	11/6/98	2/17/00, 65 FR 8053.	
Sect. .0915	Determination of Solvent Metal Cleaning VOC Emissions	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0916	Determination: VOC Emissions from Bulk Gasoline Terminals.	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0917	Automobile and Light-Duty Truck Manufacturing	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0918	Can Coating	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0919	Coil Coating	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0920	Paper Coating	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0921	Fabric and Vinyl Coating	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0922	Metal Furniture Coating	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0923	Surface Coating of Large Appliances	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0924	Magnet Wire Coating	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0925	Petroleum Liquid Storage in Fixed Roof Tanks	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0926	Bulk Gasoline Plants	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0927	Bulk Gasoline Terminals	11/6/98	2/17/00, 65 FR 8053.	
Sect. .0928	Gasoline Service Stations Stage I	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0930	Solvent Metal Cleaning	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0931	Cutback Asphalt	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0932	Gasoline Truck Tanks and Vapor Collection Systems	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0933	Petroleum Liquid Storage in External Floating Roof Tanks	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0934	Coating of Miscellaneous Metal Parts and Products	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0935	Factory Surface Coating of Flat Wood Paneling	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0936	Graphic Arts	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0937	Manufacture of Pneumatic Rubber Tires	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0939	Determination of Volatile Organic Compound Emissions	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0940	Determination of Leak Tightness and Vapor Leaks	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0941	Alternative Method for Leak Tightness	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0942	Determination of Solvent in Filter Waste	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0943	Synthetic Organic Chemical and Polymer Manufacturing	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0944	Manufacture of Polyethelene, Polypropylene and Polystyrene.	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0945	Petroleum Dry Cleaning	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0947	Manufacture of Synthesized Pharmaceutical Products	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0948	VOC Emissions from Transfer Operations	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0949	Storage of Miscellaneous Volatile Organic Compounds	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0951	Miscellaneous Volatile Organic Compound Emissions	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0952	Petition for Alternative Controls	11/29/95	5/23/96, 61 FR 25789.	
Sect. .0953	Vapor Return Piping for Stage II Vapor Recovery	11/6/98	2/17/00, 65 FR 8053.	
Sect. .0954	Stage II Vapor Recovery	10/10/97	12/31/98, 63 FR 72190.	
Sect. .0955	Thread Bonding Manufacturing	11/29/95	5/23/96, 61 FR 25789.	
Sect. .0956	Glass Christmas Ornament Manufacturing	11/29/95	5/23/96, 61 FR 25789.	
Sect. .0957	Commercial Bakeries	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0958	Work Practices for Sources of Volatile Organic Compounds	06/14/1990	05/02/91, 56 FR 20140.	
<b>Section .1200 Control of Emissions from Incinerators 111(a)</b>				
Sect. .1201	Purpose and Scope	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .1202	Definitions	06/14/1990	05/02/91, 56 FR 20140.	
<b>Section .1900 Open Burning</b>				
Sect. .1901	Purpose, Scope, and Impermissible Open Burning	07/01/96	08/01/97, 62 FR 41277.	
Sect. .1902	Definitions	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .1903	Permissible Open Burning	10/25/99	08/08/02, 67 FR 51763.	
Sect. .1904	Air Curtain Burners	06/14/1990	05/02/91, 56 FR 20140.	

TABLE 2.—EPA APPROVED FORSYTH COUNTY, NORTH CAROLINA REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Comments
Sect. .1905	Office Location	06/14/1990	05/02/91, 56 FR 20140.	
<b>Subchapter 3Q Air Quality Permits</b>				
<b>Section .0100 General Provisions</b>				
Sect. .0101	Required Air Quality Permits	11/6/98	2/17/00, 65 FR 8053.	
Sect. .0102	Activities Exempted From Permit Requirements	05/24/99	10/22/02, 67 FR 64994.	
Sect. .0103	Definitions	05/24/99	10/22/02, 67 FR 64994.	
Sect. .0104	Where to Obtain and File Permit Applications	10/10/97	12/31/98, 63 FR 72190.	
Sect. .0107	Confidential Information	05/24/99	10/22/02, 67 FR 64994.	
<b>Section .0200 Permit Fees</b>				
Sect. .0207	Annual Emissions Reporting	11/6/98	2/17/00, 65 FR 8053.	
<b>Section .0300 Construction and Operation Permit</b>				
Sect. .0301	Applicability	11/6/98	2/17/00, 65 FR 8053.	
Sect. .0302	Facilities Not Likely to Contravene Demonstration	11/6/98	2/17/00, 65 FR 8053.	
Sect. .0303	Definitions	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0304	Applications	07/01/99	10/22/02, 67 FR 64994.	
Sect. .0305	Application Submittal Content	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0306	Permits Requiring Public Participation	07/01/99	10/22/02, 67 FR 64994.	
Sect. .0307	Public Participation Procedures	10/10/97	12/31/98, 63 FR 72190.	
Sect. .0308	Final Action on Permit Applications	03/14/1995	02/01/96, 61 FR 3586.	
Sect. .0309	Termination, Modification and Revocation of Permits	07/01/99	10/22/02, 67 FR 64994.	
Sect. .0310	Permitting of Numerous Similar Facilities	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0311	Permitting of Facilities at Multiple Temporary Site	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0312	Application Processing Schedule	11/6/98	2/17/00, 65 FR 8053.	
Sect. .0314	General Permit Requirements	05/24/99	10/22/02, 67 FR 64994.	
Sect. .0315	Synthetic Minor Facilities	07/01/99	10/22/02, 67 FR 64994.	
<b>Section .0800 Exclusionary Rules</b>				
Sect. .0801	Purpose and Scope	05/24/99	10/22/02, 67 FR 64994.	
Sect. .0802	Gasoline Service Stations and Dispensing Facilities	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0803	Coating, Solvent Cleaning, Graphic Arts Operations	05/24/99	12/31/98, 63 FR 72193.	
Sect. .0804	Dry Cleaning Facilities	06/14/1990	05/02/91, 56 FR 20140.	
Sect. .0805	Grain Elevators	11/6/98	02/17/00, 65 FR 8093.	
Sect. .0806	Cotton Gins	11/6/98	02/17/00, 65 FR 8093.	
Sect. .0807	Emergency Generators	11/6/98	02/17/00, 65 FR 8093.	
Sect. .0808	Peak Shaving Generators	07/01/99	10/22/02, 67 FR 64990.	

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[PA203-4210a; FRL-7523-6]

**Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; VOC and NO<sub>x</sub> RACT Determinations for Two Individual Sources**

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

**ACTION:** Direct final rule.

**SUMMARY:** EPA is taking direct final action to approve revisions to the Commonwealth of Pennsylvania's State Implementation Plan (SIP). The

revisions were submitted by the Pennsylvania Department of Environmental Protection (PADEP) to establish and require reasonably available control technology (RACT) for one major source of nitrogen oxides (NO<sub>x</sub>) and one major source for volatile organic compounds (VOC) located in Pennsylvania. EPA is approving these revisions to establish RACT requirements in the SIP in accordance with the Clean Air Act (CAA).  
**DATES:** This rule is effective on October 6, 2003 without further notice, unless EPA receives adverse written comment by September 5, 2003. If EPA receives such comments, it 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 either by mail or electronically. Written comments

should be mailed to Makeba Morris, Chief, Air Quality Planning Branch, Mailcode 3AP21, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Electronic comments should be sent either to [morris.makeba@epa.gov](mailto:morris.makeba@epa.gov) or to <http://www.regulations.gov>, which is an alternative method for submitting electronic comments to EPA. To submit comments, please follow the detailed instructions described in Part III of the Supplementary Information section. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103; the Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 1301 Constitution