

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR PART 52

[TX-155-1-7591b; FRL-7564-6]

#### Approval and Promulgation of Implementation Plans; Texas; Revisions to Regulations for Control of Air Pollution by Permits for New Sources and Modifications

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

**ACTION:** Proposed rule.

**SUMMARY:** The EPA proposes to approve revisions to the Texas State Implementation Plan (SIP). This includes revisions that the Texas Commission on Environmental Quality (TCEQ) submitted to EPA on January 3, 2003, to require that equipment associated with a new or relocated concrete crushing facility be located or operated at least 440 yards from any building used as a single or multi-family residence, school, or place of worship. This action is being taken under section 110 of the Federal Clean Air Act, as amended (the Act, or CAA).

In the "Rules and Regulations" section of the **Federal Register**, EPA is approving the State's SIP revision as a direct final rule without prior proposal because the Agency considers this as a noncontroversial revision and anticipates no relevant adverse comments to this action. A detailed rationale for the approval is set forth in the direct final rule. If no relevant adverse comments are received in response to this action, no further activity is contemplated in relation to this action. If EPA receives relevant adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based upon this proposed action. The EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on part of this rule and if that part can be severed from the remainder of the rule, we may adopt as final those parts of the rule that are not subject of an adverse comment.

**DATES:** Written comments must be received on or before October 30, 2003.

**ADDRESSES:** Comments may be submitted to Mr. Guy Donaldson, Chief, Air Permits Section (6PD-R), Environmental Protection Agency, 1445 Ross Avenue, Dallas, Texas 75202-2733. Comments may also be submitted electronically, or through hand

delivery/courier. Please follow the detailed instructions (Part (I)(B)(1)(i) through (iii) of the **SUPPLEMENTARY INFORMATION** section) described in the direct final rule which is located in the "Rules and Regulations" section of this **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Stanley M. Spruiell of the Air Permits Section at (214) 665-7212, or [spruiell.stanley@epa.gov](mailto:spruiell.stanley@epa.gov).

**SUPPLEMENTARY INFORMATION:** For further information, please see the information provided in the direct final action, with the same title, that is located in the "Rules and Regulations" section of this **Federal Register**.

Dated: September 15, 2003.

**Lawrence E. Starfield**,  
*Deputy Regional Administrator, Region 6.*  
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**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 70

[OH 157-1 FRL -7566-5]

#### Clean Air Act Proposed Approval of Revisions to Operating Permits Program in Ohio

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve, as revisions to Ohio's operating permits program, proposed revisions to Ohio's regulations for insignificant emissions units (IEUs), Ohio's regulations requiring reports of any required monitoring at least every six months and prompt reports of deviations, and other provisions of Ohio's Title V regulations. In an April 18, 2002, Notice of Deficiency published in the **Federal Register**, EPA notified Ohio of EPA's finding that Ohio's provisions for IEUs and Ohio's monitoring and deviation reporting regulations did not meet minimum Federal requirements. These program revisions would resolve the deficiencies identified in the Notice of Deficiency.

Ohio published proposed revisions on June 18, 2003, for public comment through July 29, 2003. On July 17, 2003, Ohio submitted the proposed revisions to EPA for approval as revisions to Ohio's Title V program. EPA is proposing to approve Ohio's revisions at the same time that Ohio is completing the process of adopting final revisions to its regulations. EPA will only finalize its approval of Ohio's revisions after Ohio

adopts final regulations consistent with the changes described in this action.

**DATES:** Written comments must be received on or before October 30, 2003.

**ADDRESSES:** Comments may be submitted by mail to Pamela Blakley, Chief, Permits and Grants Section, Air Programs Branch, (AR-18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois, 60604. Comments may also be submitted electronically, or through hand delivery/courier, please follow the detailed instructions described in Part (I)(B)(1)(i) through (iii) of the Supplementary Information section.

**FOR FURTHER INFORMATION CONTACT:** Genevieve Damico, Environmental Engineer, Permits and Grants Section, Air Programs Branch, (AR-18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois, 60604, (312) 353-4761, [damico.genevieve@epa.gov](mailto:damico.genevieve@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 Air Docket Number OH157. 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 U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois, 60604. 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, 8:45 to 4:45 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, Ohio Environmental Protection Agency, Division of Air Pollution Control,