

in the **Federal Register** later this summer.

The Board is not soliciting comments on the draft of the final guidelines, but has placed the document in the docket for public inspection to promote the harmonization of the Board's guidelines with the ICC/ANSI standards and the International Building Code. The ANSI Committee and the International Codes Council are currently in the process of revising the private sector accessibility provisions and proposed changes must be submitted during the Spring of 2002. Without taking this step, an important opportunity would have been missed to harmonize the Board's guidelines with those of the private sector.

**Lawrence W. Roffee,**

*Executive Director.*

[FR Doc. 02-7884 Filed 4-1-02; 8:45 am]

**BILLING CODE 8150-01-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 63

[WV001-1000b; FRL-7166-7]

#### Approval of Section 112(I) Authority for Hazardous Air Pollutants; State of West Virginia; Division of Environmental Protection

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve West Virginia Department of Environmental Protection's (WVDEP's) request for delegation of authority to implement and enforce its hazardous air pollutant regulations for perchloroethylene dry-cleaning facilities, hard and decorative chromium electroplating and chromium anodizing tanks, ethylene oxide sterilization facilities, halogenated solvent cleaning, and secondary lead smelting which have been adopted by reference from the Federal requirements set forth in the Code of Federal Regulations. This proposed approval will automatically delegate future amendments to these regulations once WVDEP incorporates these amendments into its regulations. In addition, EPA is proposing to approve of WVDEP's mechanism for receiving delegation of future hazardous air pollutant regulations. This mechanism entails WVDEP's incorporation by reference of the unchanged Federal standard into its hazardous air pollutant regulation and WVDEP's notification to EPA of such incorporation. This action pertains only to affected sources, as defined by the

Clean Air Act hazardous air pollutant program, which are not located at major sources, as defined by the Clean Air Act operating permit program. In the Final Rules section of this **Federal Register**, EPA is approving the State's request for delegation of authority as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this action, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time.

**DATES:** Written comments must be received on or before May 2, 2002.

**ADDRESSES:** Written comments on this action should be sent concurrently to: Makeba A. Morris, Chief, Permits and Technical Assessment Branch, Mail Code 3AP11, Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, PA 19103-2029, and John A. Benedict, West Virginia Department of Environmental Protection, Division of Air Quality, 7012 MacCorkle Avenue, SE, Charleston, WV 25304-2943. 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 and the West Virginia Department of Environmental Protection, Division of Air Quality, 7012 MacCorkle Avenue, SE, Charleston, WV 25304-2943.

#### FOR FURTHER INFORMATION CONTACT:

Dianne J. McNally, 215-814-3297, at the EPA Region III address above, or by e-mail at [mcnally.dianne@epa.gov](mailto:mcnally.dianne@epa.gov). Please note that any formal comments must be submitted, in writing, as provided in the **ADDRESSES** section of this document.

**SUPPLEMENTARY INFORMATION:** For further information on this action, pertaining to approval of WVDEP's delegation of authority for the hazardous air pollutant emission standards for perchloroethylene dry-cleaning facilities, hard and decorative chromium electroplating and chromium anodizing tanks, ethylene oxide sterilization facilities, halogenated solvent cleaning, and secondary lead smelting (Clean Air Act section 112), 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** publication.

Dated: March 21, 2002

**Judith M. Katz,**

*Director, Air Protection Division, Region III.*

[FR Doc. 02-7940 Filed 4-1-02; 8:45 am]

**BILLING CODE 6560-50-U**

## DEPARTMENT OF TRANSPORTATION

### Research and Special Programs Administration

#### 49 CFR Parts 171, 172, 173, and 175

[Docket No. RSPA-02-11989 (HM-224C)]

**RIN 2137-AD48**

#### Hazardous Materials; Transportation of Lithium Batteries

**AGENCY:** Research and Special Programs Administration (RSPA), DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** RSPA (we) proposes to amend the Hazardous Materials Regulations (HMR) regarding the transportation of lithium batteries. These proposals are consistent with changes recently made to the United Nations Recommendations on the Transport of Dangerous Goods (UN Recommendations). They would increase the level of safety associated with the transportation of lithium batteries and facilitate the transport of these materials in international commerce.

**DATES:** Comments must be received by June 14, 2002.

**ADDRESSES:** Submit written comments to the Docket Management System, U.S. Department of Transportation, Room PL 401, 400 Seventh St., SW., Washington, DC 20590-0001. Identify the docket number, RSPA-02-11989 (HM-224C) at the beginning of your comments and submit two copies. If you wish to receive confirmation of receipt of your comments, include a self-addressed stamped postcard. You may also submit comments by e-mail by accessing the Docket Management System website at <http://dms.dot.gov>. Click on "Help" to obtain instructions for filing the document electronically.

The Docket Management System is located on the Plaza Level of the Nassif Building at the U.S. DOT at the above address. You can view public dockets between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. You can also view comments on-line at <http://dms.dot.gov>.