

(3) The enrollee would suffer severe financial hardship by continuing TRDP enrollment.

(C) *Effective date of voluntary termination.* For cases determined to qualify for disenrollment under the grace period provisions in paragraph (d)(5)(ii)(A) of this section, enrollment is completely nullified effective from the beginning date of coverage. For cases determined to qualify for disenrollment under the extenuating circumstances provisions in paragraph (d)(5)(ii)(B) of this section, the effective date of disenrollment is the first of the month following the contractor's initial determination on the disenrollment request or the first of the month following the last use of TRDP benefits under the enrollment, whichever is later.

(D) *Appeal process for denied voluntary enrollment termination.* An enrollee has the right to appeal to OCHAMPUS the contractor's determination that a disenrollment request does not qualify under paragraphs (d)(5)(ii)(A) or (B) of this section. The enrollee may appeal that determination by submitting a written request to OCHAMPUS with a copy of the contractor's determination notice and relevant documentation supporting the disenrollment request. This appeal must be received by OCHAMPUS within 60 days of the date of the contractor's determination notice. The burden of proof is on the enrollee to establish affirmatively by substantial evidence that the enrollee qualifies to be disenrolled under paragraphs (d)(5)(ii)(A) or (B) of this section. OCHAMPUS will issue written notification to the enrollee and the contractor of its appeal determination within 60 days from the date of receipt of the appeal request. The decision of OCHAMPUS is final.

* * * * *

(e) * * *

(2) *Effects of failure to make premium payments.* Failure to make premium payments will result in the enrollee's disenrollment from the TRDP and a lock-out period of 12 months. Following this period of time, eligible individuals will be able to re-enroll if they so choose.

* * * * *

(k) *Appeal procedures.* All levels of appeal established by the contractor shall be exhausted prior to an appeal being filed with OCHAMPUS. Procedures comparable to those established for appeal of benefit determinations under § 199.10 shall apply together with the procedures for appeal of voluntary disenrollment

determinations described in paragraph (d)(5)(ii)(D) of this section.

* * * * *

Dated: January 24, 2002.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 02-2173 Filed 1-29-02; 8:45 am]

BILLING CODE 5001-08-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 60

[AD-FRL-7136-2]

Amendments to Standards of Performance for New Stationary Sources; Monitoring Requirements

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; notice of public hearing and reopening of comment period.

SUMMARY: This document announces an informal public hearing EPA is holding to take comments on the Agency's proposed rule for Performance Specification 11 (PS-11): Specifications and Test Procedures for Particulate Matter Continuous Emission Monitoring Systems at Stationary Sources and Procedure 2: Quality Assurance Requirements for Particulate Matter Continuous Monitoring Systems at Stationary Sources (Procedure 2), published on December 12, 2001. The comment period for the above-named action is also being reopened for an additional 60-days.

DATES: *Public Hearing.* The public hearing will be held on Friday, February 22, 2002, from 9:30 a.m. to 4 p.m. (EST). The hearing may conclude prior to 4 p.m., depending on the number of attendees and level of interest. If you are interested in attending the hearing, you must call the contact person listed below (see **FOR FURTHER INFORMATION CONTACT**).

Comments. You must submit comments so that they are received on or before March 12, 2002.

Request to Speak at Hearing. If you wish to present oral testimony at the public hearing, you must call the contact person listed below.

ADDRESSES: *Public Hearing:* The location for this public hearing will be the Environmental Research Center Auditorium, Research Commons, 86 T.W. Alexander Drive, Research Triangle Park, NC 27711.

Comments: You may submit your comments by electronic mail (e-mail) to:

a-and-r-docket@epa.gov and *bivins.dan@epa.gov*. You must submit e-mail comments either as an ASCII file avoiding the use of special characters and any form of encryption or as an attachment in WordPerfect® version 5.1, 6.1 or Corel 8 file format. You must note the docket number: (A-2001-10) on all comments and data submitted in electronic form. Do not submit confidential business information (CBI) by e-mail. Electronic comments may be filed online at many Federal Depository Libraries.

Worldwide Web (WWW). In addition to being available in the docket, you can find an electronic copy of the December 12 proposal on the WWW through the Technology Transfer Network (TTN). A copy of the proposal has been posted on the Emission Measurement Center's TTN web site at <http://www.epa.gov/ttn/emc> under Monitoring. We are only accepting comment on the items in that proposal, including supplemental comments or comments in rebuttal to information received at the public hearing. The TTN provides information and technology exchange in various areas of air pollution control. If you need more information regarding the TTN, call the TTN HELP line at (919) 541-5384.

FOR FURTHER INFORMATION CONTACT: For information concerning the hearing or the December 12 proposal, contact Mr. Daniel G. Bivins, Emission Measurement Center (D-220D), Emissions, Monitoring, and Analysis Division, U. S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone number (919) 541-5244.

SUPPLEMENTARY INFORMATION: EPA published its proposed rule for PS-11 and Procedure 2 in the **Federal Register** on December 12, 2001 (66 FR 64176-64207). In that notice EPA proposes to revise portions of a previously proposed rule concerning particulate matter continuous emission monitoring to respond to comments received on that previous proposal and to reflect relevant new information obtained subsequent to that proposal. In the December 12 notice, EPA provided a 30-day public comment period on the supplemental proposal (ending January 11, 2002), and also indicated that a public hearing would be held if requested by any member of the public and that if a hearing is held, rebuttal and supplementary information may be submitted to the docket for 30 days following the hearing.

EPA received six comments requesting a public hearing and also requesting that the 30-day public

comment period be extended for an additional 60 days. Since EPA now intends to hold a hearing and to accept comments until March 12, we believe that this 60-day reopening of the comment period is sufficient to enable interested members of the public to further evaluate the proposed rule as well as any comments received at the public hearing.

The proposed rule is available electronically on the Internet at the web address shown above. The proposed rule and supporting materials are also available for viewing in the Air and Radiation Docket and Information Center, located at 1200 Pennsylvania Avenue, NW., (Ariel Rios Building), 2nd Floor, Room 2213, Washington, DC 20460. The documents are available for viewing from 9 a.m. to 4 p.m., Monday through Friday, excluding Federal holidays. To review docket materials, it is recommended that the public make an appointment by calling (202) 564-2614 or (202) 564-2119.

Dated: January 25, 2002.

Robert D. Brenner,

*Principal Deputy Assistant Administrator,
Office of Air and Radiation.*

[FR Doc. 02-2232 Filed 1-29-02; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 63

[MD001-1000; FRL-7136-1]

Approval of Section 112(I) Authority for Hazardous Air Pollutants; State of Maryland; Department of the Environment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve Maryland Department of the Environment's (MDE'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, secondary lead smelting, hazardous waste combustors, and portland cement manufacturing 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 MDE incorporates these amendments into its regulations.

In addition, EPA is proposing to approve of MDE's mechanism for receiving delegation of future hazardous air pollutant regulations. This mechanism entails MDE's incorporation by reference of the unchanged Federal standard into its hazardous air pollutant regulation and MDE'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 March 1, 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 Anne Marie DeBiase, Director, Air and Radiation Management Administration, Maryland Department of the Environment, 2500 Broening Highway, Baltimore, MD 21224. 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 Maryland Department of the Environment, 2500 Broening Highway, Baltimore, MD 21224.

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. 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 MDE'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, secondary lead smelting, hazardous waste combustors, and portland cement manufacturing (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: January 22, 2002.

Judith M. Katz,

Director, Air Protection Division, Region III.

[FR Doc. 02-2231 Filed 1-29-02; 8:45 am]

BILLING CODE 6560-50-U

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 63

[PA001-1002; FRL-7135-4]

Approval of Section 112(I) Authority for Hazardous Air Pollutants and the Chemical Accident Prevention Provisions; Allegheny County; Health Department

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve Allegheny County Health Department's (ACHD's) request for delegation of authority to implement and enforce its hazardous air pollutant and accidental release prevention regulations 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. For sources which are required to obtain a Clean Air Act operating permit, this proposed delegation addresses all existing hazardous air pollutant regulations. For sources which are not required to obtain a Clean Air Act operating permit, this proposed delegation presently addresses the hazardous air pollutant regulations for perchloroethylene drycleaning facilities, hard and decorative chromium electroplating and chromium anodizing tanks, ethylene oxide sterilization facilities, halogenated solvent cleaning, secondary lead smelting, hazardous waste combustors, portland cement manufacturing, and