

#### IV. Administrative Requirements

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 proposed 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 approves 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 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, Reporting and recordkeeping requirements.

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

Dated: April 10, 2002.

**Nora L. McGee,**

*Acting Regional Administrator, Region IX.*

[FR Doc. 02–9910 Filed 4–23–02; 8:45 am]

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#### ENVIRONMENTAL PROTECTION AGENCY

##### 40 CFR Part 52

[MO 155–1155; FRL–7175–2]

#### Approval and Promulgation of Implementation Plans; State of Missouri

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA proposes to approve the State Implementation Plan (SIP) revision submitted by the state of Missouri for the purpose of controlling volatile organic compound (VOC) emissions from stationary and area sources in Clay, Platte, and Jackson Counties in the Kansas City, Missouri, area. This action also proposes to provide full approval of the revised maintenance plan and rescinds the prior conditional approval of the revised maintenance plan. In the final rules section of the **Federal Register**, EPA is approving the State’s SIP revision and providing full approval of the revised maintenance plan as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment 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 on this proposed action. 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 an amendment, paragraph, or section of this rule and if that provision is severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment.

**DATES:** Comments on this proposed action must be received in writing by May 24, 2002.

**ADDRESSES:** Comments may be mailed to Leland Daniels, Environmental Protection Agency, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101.

**FOR FURTHER INFORMATION CONTACT:** Leland Daniels at (913) 551–7651.

**SUPPLEMENTARY INFORMATION:** See the information provided in the direct final rule which is located in the rules section of the **Federal Register**.

Dated: April 11, 2002.

**James B. Gulliford,**

*Regional Administrator, Region 7.*

[FR Doc. 02–9912 Filed 4–23–02; 8:45 am]

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#### ENVIRONMENTAL PROTECTION AGENCY

##### 40 CFR Part 271

[FRL–7173–8]

#### Hazardous Waste Management Program: Final Authorization of State Hazardous Waste Management Program Revisions for State of Arkansas

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

**ACTION:** Proposed rule and request for comment.

**SUMMARY:** The EPA (also, “the Agency” in this preamble) is proposing to grant final authorization to the hazardous waste program revisions submitted by the State of Arkansas Department of Environmental Quality for its hazardous waste program revisions, specifically, revisions needed to meet the Resource Conservation and Recovery Act Clusters

III through IX, which contain Federal rules promulgated between July 1, 1992 to June 30, 1999 and a portion of RCRA Cluster X promulgated July 6, 1999.

The State of Arkansas is using Arkansas Code Annotated 8-7-508(a)(1) of the Remedial Action Trust Fund Act of 1985 (RATFA) to establish equivalent authorities to RCRA sections 3004(v) and (u). EPA would like to receive specific comments from the public on this approach. This approach is discussed further in the **Federal Register** notice, "Immediate Final Rule" that EPA has determined to be Broader in Scope. Also see Arkansas' Independent Counsel Statement on pages 12 through 13 of the State of Arkansas Consolidated Attorney General Statement for RCRA Clusters III through IX and portion of RCRA Cluster X.

In the "Rules and Regulations" section of this **Federal Register** (FR), EPA is authorizing the State's program revisions as an immediate final rule without prior proposal because the EPA views this action as noncontroversial and anticipates no adverse comments. The Agency has explained the reasons for this authorization in the preamble to the immediate final rule. If EPA does not receive adverse written comments, the immediate final rule will become effective and the Agency will not take further action on this proposal. If EPA receives adverse written comments, a second **Federal Register** document will be published before the time the immediate final rule takes effect. The second document may withdraw the immediate final rule or identify the issues raised, respond to the comments and affirm that the immediate final rule will take effect as scheduled. Any parties interested in commenting on this action should do so at this time.

**DATES:** Written comments must be received on or before May 24, 2002.

**ADDRESSES:** Mail written comments to Alima Patterson, Region 6, Regional

Authorization Coordinator, Grants and Authorization Section (6PD-G), Multimedia Planning and Permitting Division, at the address shown below.

You can examine copies of the materials submitted by the State of Arkansas during normal business hours at the following locations: EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733, (214) 665-6444; or Arkansas Department of Environmental Quality, 8101 Interstate 30, Little Rock, Arkansas 72219, (501) 682-0876.

**FOR FURTHER INFORMATION CONTACT:**

Alima Patterson (214) 665-8533.

**SUPPLEMENTARY INFORMATION:** For additional information, please see the immediate final rule published in the "Rules and Regulations" section of this **Federal Register**.

Dated: April 4, 2002.

**Gregg A. Cooke,**

*Regional Administrator, Region 6.*

[FR Doc. 02-10039 Filed 4-23-02; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 432

[FRL-7175-5]

**RIN 2040-AD56**

### Effluent Limitations Guidelines and New Source Performance Standards for the Meat and Poultry Products Point Source Category

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

**ACTION:** Extension of comment period on proposed rule and clarification on public meetings.

**SUMMARY:** On February 25, 2002 (67 FR 8582), EPA proposed effluent limitations guidelines for wastewater discharges associated with the operation of new and existing meat and poultry

products facilities. The original comment period was 60 days, ending on April 26, 2002. The comment period will now end 60 days later on June 25, 2002. In the preamble to the proposal, EPA incorrectly stated that we would be holding two "public hearings" on March 14, 2002 and April 9, 2002, whereas EPA intended only to hold public meetings on those dates. EPA is providing this extension of the comment period in part to ensure that anyone who expected to provide their comments orally at a public hearing, has an ample opportunity to provide EPA with written comments. EPA regrets any inconvenience or confusion this mistake in terminology has caused the public.

**DATES:** Comments on the proposed rule will be accepted through June 25, 2002.

**ADDRESSES:** Submit written comments to Ms. Samantha Lewis, Office of Water, Engineering and Analysis Division (4303T), U.S. EPA, 1200 Pennsylvania Avenue, NW, Washington, DC 20460. For hand-deliveries or Federal Express, please send comments to Ms. Samantha Lewis, Office of Water, Engineering and Analysis Division, Room 6233L, 1301 Constitution Avenue, NW, 6th Floor, Connecting Wing, Washington, DC 20460. Comments may be sent by email to the following email address: "meatproducts.rule@epa.gov". EPA requests an original and three copies of your comments and enclosures (including references). Commenters who want EPA to acknowledge receipt of their comments should enclose a self-addressed, stamped envelope. No facsimiles (faxes) will be accepted.

**FOR FURTHER INFORMATION CONTACT:** Ms. Samantha Lewis at (202) 566-1058.

Dated: April 17, 2002.

**Diane C. Regas,**

*Acting Assistant Administrator for Water.*

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