

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 52**

[CA 248-0288b; FRL-7028-8]

Revisions to the California State Implementation Plan, El Dorado County Air Pollution Control District**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Proposed rule.

SUMMARY: EPA is proposing to approve revisions to the El Dorado County Air Pollution Control District (EDCAPCD) portion of the California State Implementation Plan (SIP). These revisions concern volatile organic compound (VOC) emissions from Phase I gasoline transfer into stationary storage tanks/Phase II gasoline transfer into vehicle fuel tanks, organic liquid loading, and valves and flanges. We are proposing to approve local rules and proposing to approve the rescission of local rules that regulate these emission sources under the Clean Air Act as amended in 1990 (CAA or the Act). We are also proposing to approve a negative declaration that concerns VOC emissions from bulk terminal facilities or external or internal floating roof tank sources.

DATES: Any comments on this proposal must arrive by September 26, 2001.

ADDRESSES: Mail comments to Andy Steckel, Rulemaking Office Chief (AIR-4), U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105.

You can inspect copies of the submitted rule revisions and EPA's technical support document (TSD) at our Region IX office during normal business hours. You may also see copies of the submitted rule revisions and TSD at the following locations:

Environmental Protection Agency, Air Docket (6102), Ariel Rios Building, 1200 Pennsylvania Avenue, N.W., Washington D.C. 20460.

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 1001 "I" Street, Sacramento, CA 95814.

El Dorado County Air Pollution Control District, 2850 Fairlane Court, Building C, Placerville, CA 95667.

FOR FURTHER INFORMATION CONTACT: Al Petersen, Rulemaking Office (AIR-4), U.S. Environmental Protection Agency, Region IX; (415) 744-1135.

SUPPLEMENTARY INFORMATION: This proposal addresses the approval of the local EDCAPCD Rules 238, 244, and 245, the rescission of local EDCAPCD

Rules 900 through 914, and approval of a Negative Declaration concerning Bulk Terminal Facilities or External or Internal Floating Roof Tank Sources. In the Rules and Regulations section of this **Federal Register**, we are approving and rescinding these local rules in a direct final action without prior proposal because we believe these SIP revisions are not controversial. If we receive adverse comments, however, we will publish a timely withdrawal of the direct final rule and address the comments in subsequent action based on this proposed rule. We do not plan to open a second comment period, so anyone interested in commenting should do so at this time. If we do not receive adverse comments, no further activity is planned. For further information, please see the direct final action.

Dated: July 31, 2001.

Jane Diamond,

Acting Regional Administrator, Region IX.

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ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 60**

[FRL-7039-3]

Amendments for Testing and Monitoring Provisions; Removal of a Provision for Opacity Monitoring**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Proposed rule.

SUMMARY: We, the EPA, are proposing to remove an amendment published as part of a final rule entitled "Amendments for Testing and Monitoring Provisions" on October 17, 2000 (65 FR 61744). We are proposing to remove this provision because it inadvertently established substantive new requirements for facilities that are subject to the New Source Performance Standards requiring the installation of continuous opacity monitors on effluent streams, although the amendments were explicitly intended to be minor in nature and not substantive. We do not consider this amendment controversial and expect no adverse comments, so we are also publishing it as a direct final rule without prior proposal in the Final Rules section of this **Federal Register** Publication. We have set forth a detailed rationale for this proposal in the direct final rule. We will take no further action unless, within the time allowed (see **DATES**), we receive adverse comments

about the proposal or direct final rule, or we receive a request for a public hearing on the proposal. If we receive no adverse comments, we contemplate no further action on this proposal. We will not institute a second comment period on this action. People interested in commenting on the direct final rule should do so at this time.

DATES: Comments. We will accept comments regarding the proposed amendment on or before September 26, 2001. We will arrange a public hearing concerning the accompanying proposed rule if we receive a request for one by September 11, 2001. If someone requests a hearing it will be held on October 11, 2001 beginning at 10 a.m. For more information about submittal of comments and requesting a public hearing, see the **SUPPLEMENTARY INFORMATION** section in this preamble.

ADDRESSES: Comments. Interested parties having comments on this action may submit these comments in writing (original and two copies, if possible) to Docket No. A-97-12 at the following address: Air and Radiation Docket and Information Center (6102), U.S. Environmental Protection Agency, 401 M Street, SW., Room 1500, Washington, DC 20460.

We request that a separate copy of the comments also be sent to the contact person listed in the following paragraph of this preamble. If someone requests a hearing, the hearing will be held at the EPA Office of Administration Auditorium, Research Triangle Park, NC.

FOR FURTHER INFORMATION CONTACT:

Foston Curtis, Environmental Protection Agency, Office Air Quality Planning and Standards, at 919/541-1063, e-mail: curtis.foston@epa.gov, facsimile 919/541-1039.

SUPPLEMENTARY INFORMATION:

Docket: A docket containing supporting information used in developing this proposed rule amendment is available for public inspection and copying at our docket office located at the above address in Room M-1500, Waterside Mall (ground floor). You are encouraged to phone in advance to review docket materials or schedule an appointment by phoning the Air Docket Office at (202) 260-7548. Refer to Docket No. A-97-12. The Docket Office may charge a reasonable fee for copying docket materials.

Outline: The information in this preamble is organized as follows:

- I. Background
- II. Authority
- III. Administrative Requirements
 - A. Executive Order 12866: "Significant Regulatory Action Determination"