or 87 months (7 years, 3 months), whichever occurs first, and repetitively thereafter at intervals not to exceed 12 months, do the actions specified in paragraph (f)(3) of this AD, or;

(ii) If the upper wing strut fitting has 3,500 or more hours TIS or has been installed for 84 months (7 years) or longer: Within the next 100 hours TIS on the upper wing strut fitting after the effective date of this AD or within 3 months after the effective date of this AD, whichever occurs first, and repetitively thereafter at intervals not to exceed 12 months, do the actions specified in paragraph (f)(3) of this AD.

Note 1: If the TIS of the upper wing strut fittings cannot be positively determined by a review in the airplane maintenance records, then by default the upper wing strut fittings were installed from the date of original Certificate of Airworthiness.

(3) Do the following at the times specified in paragraph (f)(1) or (f)(2) of this AD:

(i) Perform a visual and non-destructive inspection of the upper wing strut fittings for cracks following the Accomplishment Instructions in Pilatus Aircraft Ltd. Service Bulletin No. 57–004, dated April 16, 2007.

(ii) Examine for conformity the spherical bearings following the Accomplishment Instructions in Pilatus Aircraft Ltd. Service Bulletin No. 57–004, dated April 16, 2007.

(4) If during any inspection required by paragraph (f)(3)(i) of this AD, cracks are found in the upper wing strut fitting, before further flight replace the wing strut fitting with a new part number (P/N) 111.35.06.185 (left side) or P/N 111.35.06.186 (right side) following the Accomplishment Instructions in Pilatus Aircraft Ltd. Service Bulletin No. 57–004, dated April 16, 2007. Replacement of the upper wing strut fitting does not terminate the repetitive inspection specified in paragraph (f)(3) of this AD.

(5) If during any inspection required by paragraph (f)(3)(ii) of this AD, the spherical bearing is found not in conformity, replace the bearing with a new P/N 944.61.00.109 following the Accomplishment Instructions in Pilatus Aircraft Ltd. Service Bulletin No. 57–004, dated April 16, 2007. Replacement of the spherical bearing does not terminate the repetitive inspection specified in paragraph (f)(3) of this AD.

(6) Report to Pilatus Aircraft Ltd. Customer Liaison Manager results of the inspection/examination using Table 1 of Pilatus Aircraft Ltd. Service Bulletin No. 57–004, dated April 16, 2007.

FAA AD Differences

Note 2: This AD differs from the MCAI and/or service information as follows:

(1) The FAA AD is requiring repetitive inspections and reporting results to the manufacturer, not just a one-time inspection and report as required in the MCAI.

(2) The Service Bulletin specifies ''subsequent inspections for cracks will be included in Chapter 5 of the Aircraft Maintenance Manual (AMM).'' The only way we (FAA) can mandate these repetitive inspections is through an AD.

Other FAA AD Provisions

(g) The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, Standards Staff, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Doug Rudolph, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4059; fax: (816) 329–4090. Before using any approved AMOC on any airplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(3) *Reporting Requirements:* For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120–0056.

Related Information

(h) Refer to MCAI European Aviation Safety Agency (EASA) AD No: 2007–0114, dated May 02, 2007; and Pilatus Aircraft Ltd. Service Bulletin No. 57–004, dated April 16, 2007, for related information.

Issued in Kansas City, Missouri, on May 23, 2007.

David R. Showers,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. E7–10315 Filed 5–29–07; 8:45 am]

BILLING CODE 4910–13–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R05–OAR–2006–0540; FRL–8319–7]

Approval and Promulgation of Air Quality Implementation Plans; Indiana; Oxides of Nitrogen Regulations, Phase II

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA is proposing to approve Indiana's oxides of nitrogen (NO_X) rules which satisfy the requirements of EPA's NO_X SIP Call Phase II Rule (the Phase II Rule). We are proposing to approve these rules based on Indiana's demonstration that the State will meet the Phase II Rule requirements through rules regulating stationary internal combustion (IC) engines. Limiting NO_X emissions from IC engines will enable the State to meet the Phase II budget of 4,244 tons during the ozone season, thereby improving air quality and protecting the health of Indiana citizens. We are also proposing to approve other changes to Indiana's NO_X rules. These are minor clerical corrections and changes in definitions made by Indiana to conform to EPA's Phase II Rule. Citizens who wish to comment on this proposed approval of the Indiana Phase II NO_X plan are encouraged to do so within the timeframe noted below.

DATES: Comments must be received on or before June 29, 2007.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R05–OAR–2006–0540, by one of the following methods:

1. *www.regulations.gov:* Follow the on-line instructions for submitting comments.

2. *E-mail: mooney.john@epa.gov.*

3. *Fax:* (312) 886–5824.

4. *Mail:* John M. Mooney, Chief, Criteria Pollutant Section, Air Programs Branch (AR–18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

5. *Hand Delivery:* John M. Mooney, Chief, Criteria Pollutant Section, Air Programs Branch (AR–18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604. Such deliveries are only accepted during the Regional Office normal hours of operation, and special arrangements should be made for deliveries of boxed information. The Regional Office official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m. excluding Federal holidays.

Instructions: Direct your comments to Docket ID No. EPA–R05–OAR–2006–0540. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at *www.regulations.gov*, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through *www.regulations.gov* or e-mail. The *www.regulations.gov* Web site is an ''anonymous access'' system, which means EPA will not know your identity or contact information unless

you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through *www.regulations.gov* your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional instructions on submitting comments, go to Section I of the **SUPPLEMENTARY INFORMATION** section of this document.

Docket: All documents in the docket are listed in the *www.regulations.gov* index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in *www.regulations.gov* or in hard copy at the Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. This facility is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. We recommend that you telephone John Paskevicz, Engineer, at (312) 886–6084 before visiting the Region 5 office.

FOR FURTHER INFORMATION CONTACT: John Paskevicz, Engineer, Criteria Pollutant Section, Air Programs Branch (AR–18J), U. S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886–6084, *paskevicz.john@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document whenever ''we,'' ''us,'' or ''our'' is used, we mean EPA. This **SUPPLEMENTARY INFORMATION** section is arranged as follows:

I. What should I consider as I prepare my comments for EPA?
II. Background
III. Who is affected by the new Phase II rule and the amendments to the Phase I rules?
IV. What would approval of this rule accomplish?
V. How are owners and operators expected to comply with the new requirement?
VI. What action is EPA taking today?
VII. Statutory and Executive Order Reviews.

I. What should I consider as I prepare my comments for EPA?

When submitting comments, remember to:

1. Identify the rulemaking by docket number and other identifying information (subject heading, **Federal Register** date and page number).

2. Follow directions—The EPA may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.

3. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.

4. Describe any assumptions and provide any technical information and/or data that you used.

5. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.

6. Provide specific examples to illustrate your concerns, and suggest alternatives.

7. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.

8. Make sure to submit your comments by the comment period deadline identified.

II. Background

On October 27, 1998 (63 FR 57356), EPA issued the NO_X SIP Call in which it required 22 states, including Indiana, to prepare plans to reduce the transport of ozone throughout the eastern part of the United States. This was to be accomplished by reducing emissions of NO_X from selected source categories, primarily major fuel burning sources, using available cost-effective measures. The rule established a cap on emissions of NO_X from each state. States had flexibility in determining which fuel burning sources were to be included in their rules. For the most part, states targeted NO_X reductions from electric utilities and other large industrial boilers, cement kilns, and IC engines as sources which could be controlled in a cost-effective manner. Background information in this regard is available from documents prepared by EPA, and can be found at *http://www.epa.gov/ttn/rto/otag/index.html.*

Some states and industry challenged the rule. In *Michigan* v. *EPA,* 213 F.3d 663 (D.C.Cir. 2000), *cert. denied,* 121 S. Ct. 1225 (2001), the Court largely upheld EPA's rulemaking. It did, however, remand a portion of the rule concerning IC engines to EPA for further notice and public comment.

Subsequent to the Court's decision, EPA proceeded initially with rules concerning electric generating units (EGU), industrial boilers (non-EGU) and cement kilns as Phase I sources. The IC engines fell into the Phase II group, to be addressed at a later date. Indiana adopted its Phase I rules and submitted them to EPA. We approved the Phase I rules on November 8, 2001 (66 FR 56465).

On April 21, 2004 (69 FR 21603), EPA issued the Phase II Rule. It required most States with Phase I budget programs to submit a Phase II plan to achieve incremental reductions not addressed by Phase I rules. The Phase II Rule also included amendments to the Phase I rules affecting definitions for EGUs, and identified the additional NO_X budget reductions (incremental reductions) that would be required by regulating large (greater than one ton per day emissions) IC engines. The amount of incremental reductions required resulted from the re-calculation of the overall budget to reflect a control level of 82 percent from natural gas-fired lean-burn IC engines with greater than one ton per day NO_X emissions. IDEM drafted the new rule (326 IAC 10–5, NO_X Reduction Program from IC Engines) based on guidance from EPA dated September 19, 2004, which contained an example model rule. The State also made some clerical changes to 326 IAC 10–3 and 10–4 as fix-ups to IDEM's existing NO_X SIP.

The public process for the State's IC engine rule started on May 4, 2005, and ended on October 5, 2005. The Indiana Air Pollution Control Board (IAPCB) adopted the rules and they became effective on February 26, 2006. New rule 326 IAC 10–5 applies to any person who owns or operates a large reciprocating stationary IC engine that emits more than one ton of NO_X per day during the ozone season. At the time of the State rulemaking, the only two subject Indiana companies were ANR Pipeline and Panhandle Eastern Company, which operate most of the gas-fired engines in the State. These companies own a total of 17 large lean-burn engines and many smaller engines throughout the State serving compressor stations located on pipelines that transport natural gas to customers.

The IAPCB also adopted minor changes to its Phase I rules in 326 IAC 10–3 and 10–4, to conform to changes EPA had made to its rule.

On March 8, 2006, the Indiana Department of Environmental Management (IDEM) submitted its Phase II rules to EPA. IDEM sent additional follow-up information addressing the budget demonstration for this source category in a June 22, 2006, letter requesting EPA approval. IDEM also

asked in this submittal for EPA to approve the minor changes to the Phase I NO_X rules. The State's budget demonstration, which contains enforceable emission limits for Indiana IC engines, uses the information in the source compliance plans to conclude that these sources will meet the incremental reduction called for in the Phase II Rule.

The overall NO_X budget for Indiana was originally calculated using emissions data from base year 1995. This number was based on the assumption that IC engines would be controlled at a highly cost-effective (90 percent) control level. However, the Court ruled in *Michigan* v. *EPA* that EPA had failed to provide adequate notice of the 90 percent control level assumed for IC engines. In the original proposed rule, EPA had proposed a range of control levels from 82 to 91 percent for the IC engine portion of the budget. As a result of the Court's decision, EPA set the control level at 82 percent for gas-fired lean-burn engines and recalculated the budget. The recalculation resulted in an overall budget number which for most states is smaller than the budget published by EPA on March 2, 2000. The incremental difference is the target reduction which Indiana is required to (and expects) to achieve with the Phase II Rule.

In the Phase II Rule, EPA calculated the 2007 base year emissions inventory from which Indiana needed additional reductions of 4,244 tons per ozone season, based upon achieving an 82 percent reduction at all IC engines in Indiana with greater than one ton per day of NO_X emissions. EPA allows states flexibility to use company-wide emissions averaging to achieve the needed emissions reductions. (See August 22, 2002 memorandum from Lydia Wegman, Director, Air Quality Strategies and Standards Division, Office of Air Quality Planning and Standards, to EPA Air Division Directors). EPA's example model rule is sufficiently flexible to allow companies with multiple affected engines to comply using a specific emission rate limit for each engine listed in the source compliance plan. (see *http://epa.gov/ttncaaa1/t1/reports/23814qnaasfin.pdf;* undated memorandum, Phase II of the NO_X SIP Call: Q&As and Example Rule). Emission rate limits must be reflected in a Federally enforceable permit, the enforcement mechanism for the compliance plan, which shows that the control measures are adequate to meet the State's Phase II budget incremental difference.

The Indiana rule requires sources to show that the emission reductions associated with a source will meet the facility seasonal NO_X tonnage reduction assigned to the source. Sources are required to project 2007 base emissions and then show the emissions reductions associated with the control technology or other reduction methodology (engine replacement, for example). The Indiana budget demonstration shows that sources will meet the required seasonal tonnage reductions by reducing emissions from various other engines in the inventory, so that the overall reductions are equivalent to achieving 82 percent reductions on IC engines with greater than one ton per day NO_X emissions. Some of the engines use combustion modification and some engines have been replaced with newer engines. Demonstrated reductions resulting from the replacement of older engines with newer engines in some cases exceeds 82 percent. More importantly, the compliance plans for the two companies, as noted in the Indiana budget demonstration, show that the sources meet the NO_X SIP Call emission reductions specified for Indiana.

III. Who is affected by the new Phase II rule and the amendments to the Phase I rules?

New rule 326 IAC 10–5 applies to any person who owns or operates a large stationary reciprocating IC engine and other smaller stationary IC engines that are included in a compliance plan. A large IC engine is defined as an engine that emits more than one ton of NO_X per ozone season day, based on operation during the 1995 ozone season. Pipeline energy companies are the major users of large IC engines and the State developed its budget demonstration based on control of engines used in this energy transport industry.

The minor amendments to 326 IAC 10–3 and 326 IAC 10–4 clarify regulatory language and correct various clerical errors. They also incorporate changes applicable to EGUs and non-EGUs, made in accordance with EPA's Phase II Rule, including the definitions of ''EGU'' and ''non-EGU'' as applied to co-generation units.

IV. What would approval of this rule accomplish?

Approval of rule 326 IAC 10–05 will provide a means by which the State of Indiana will meet the required reductions of NO_X emissions from IC engines during the ozone season. The State rule affects NO_X SIP Call IC engines as well as any other stationary IC engine subject to NO_X control in the State's rule. The emission reductions for some large engines will be permanent and year-round resulting from low emission combustion measures retrofitted to existing engines. Low emission combustion measures cannot be cycled off once the changes are made to the engine. The combustion control technology is a permanent, physical change to the design and operation of the engine which, when implemented, is expected to reduce emissions of NO_X year-round. A source subject to these rules may achieve the required reductions through a facility-wide or State-wide averaging program approved by Indiana. The State's rules include provisions which the sources must follow to demonstrate compliance with the rules. The environmental benefits and health implications are expected to be permanent.

The amendments to the plan also make clarifying clerical and formatting corrections to previously approved rules 326 IAC 10–3 and 326 IAC 10–4. They incorporate changes contained in EPA's Phase II Rule applicable to EGUs and non-EGUs, including the definitions of ''EGU'' and ''non-EGU'' as applied to co-generation units. These amendments will bring the originally approved Phase I NO_X State rules into conformance with the Clean Air Act (CAA) and current EPA requirements.

V. How are owners and operators expected to comply with the new requirement?

Owners of large IC engines were required to submit to IDEM, by May 1, 2006, compliance plans showing how the companies will meet the emission reductions in their respective systems. The State's budget demonstration shows that the owners of the large NO_X SIP Call engines will reach the required reductions by reducing emissions from all of the engines in their respective systems and not just from the large, one-ton-per-day, engines. These reductions shown in the budget demonstration are taken from the compliance plans submitted to IDEM by the two companies currently subject to the rule, and must be achieved by May 1, 2007. The applicable emission rate, along with monitoring, record keeping and reporting requirements, must be incorporated into Federally enforceable State permits to be issued to the companies. As public documents, these permits and compliance reports can be viewed by the public to verify compliance with the State's plan.

Known subject sources have met the first increment of compliance by submitting to the State of Indiana compliance plans as required by rule. The next major increment is completion of the requirements listed in the source

plans which bring the sources into compliance. This step, which includes the application of low emission technology (or other controls) or source averaging or both, must be completed by May 2007.

EPA published the incremental budget for affected States, including Indiana, in the April 21, 2004, **Federal Register** (69 FR 21604). The State's budget demonstration shows that, through the use of low emission combustion technology, installation of new units to replace old engines, and the use of averaging NO_X emissions system-wide by the two companies identified above, the State will be able to reduce emissions of NO_X to meet the Phase II incremental difference of 4244 tons of NO_X for the ozone season.

The State rule 326 IAC 10–5–3 includes a requirement that an owner or operator of a large IC engine shall not operate an affected engine during the ozone period unless there is a compliance plan which meets the requirements of the rule. The compliance plan was required to be submitted to the State by May 1, 2006, and the rules prohibit operation of affected engines after May 1, 2007, if they are not in compliance with the requirements. Included in the compliance plan is a requirement that the projected NO_X emissions from the engine, in grams per break horsepower-hour, be included in a Federally enforceable permit. This information will enable the State to determine if reductions from the covered sources should meet the Phase II budget increment. The failure of a source to meet the required NO_X reductions is a violation of the provisions of the permit. The State of Indiana is expected to determine non-compliance with its rules by reviewing monitoring and testing information submitted by the owners and operators of the affected engines. In addition, because the compliance plan will be included in Federally enforceable permits, EPA has the authority to enforce the applicable provisions.

VI. What action is EPA taking today?

EPA is proposing to approve the Phase II NO_X rules submitted by the State. We are taking this action because we have determined that the rules satisfy the requirements of the CAA and the Phase II Rule. The State has shown, through its budget demonstration, that it can achieve the Phase II budget increment through source compliance with the State's rules affecting IC engines and the State's permitting program. Meeting the Phase II budget increment and the Phase I increment means the State will meet its total overall ozone season NO_X budget and bring about reductions in ozone concentrations in the State and downwind from Indiana. EPA is also proposing to approve other changes to Indiana's NO_X SIP. These other changes are minor clerical corrections and changes in definitions to conform to the changes made by EPA in the NO_X Phase II Rule. Citizens who wish to comment on this proposed approval of the Indiana plan are encouraged to do so within the timeframe noted in the front of this action.

VI. Statutory and Executive Order Reviews

Executive Order 12866: Regulatory Planning and Review

Under Executive Order 12866 (58 FR 51735, September 30, 1993), this action is not a ''significant regulatory action'' and, therefore, is not subject to review by the Office of Management and Budget.

Paperwork Reduction Act

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.*).

Regulatory Flexibility Act

This proposed action merely proposes to approve 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.*).

Unfunded Mandates Reform Act

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).

Executive Order 13132: Federalism

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 CAA.

Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

This proposed 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).

Executive Order 13045: Protection of Children From Environmental Health and Safety Risks

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 proposes approval of a State rule implementing a Federal standard.

Executive Order 13211: Actions That Significantly Affect Energy Supply, Distribution, or Use

Because it is not a ''significant regulatory action'' under Executive Order 12866 or a ''significant regulatory action,'' this 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).

National Technology Transfer Advancement Act

Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), 15 U.S.C. 272, requires Federal agencies to use technical standards that are developed or adopted by voluntary consensus to carry out policy objectives, so long as such standards are not inconsistent with applicable law or otherwise impractical. In reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Absent a prior existing requirement for the state to use voluntary consensus standards, EPA has no authority to disapprove a SIP submission for failure to use such standards, and it would thus be inconsistent with applicable law for EPA to use voluntary consensus standards in place of a program submission that otherwise satisfies the provisions of the CAA. Therefore, the

requirements of section 12(d) of the NTTAA do not apply.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements.

Dated: May 18, 2007.

Gary Gulezian,

Acting Regional Administrator, Region 5.

[FR Doc. E7–10317 Filed 5–29–07; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2007–0236; FRL–8316–1]

Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve revisions to the San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD) portion of the California State Implementation Plan (SIP). These revisions concern Oxides of Nitrogen (NO_X) emissions from Boilers, Steam Generators and Process Heaters (2.0 MMBtu/hr to 5.0 MMBtu/hr, and 0.075 MMBtu/hr to 2.0 MMBtu/hr); Dryers, Dehydrators, and Ovens; Natural Gas-Fired, Fan-Type Residential Central Furnaces; and Solid Fuel Fired Boilers, Steam Generators and Process Heaters. We are proposing to approve local rules to regulate these emission sources under the Clean Air Act as amended in 1990 (CAA or the Act).

DATES: Any comments on this proposal must arrive by June 29, 2007.

ADDRESSES: Submit comments, identified by docket number EPA–R09–OAR–2007–0236, by one of the following methods:

1. *Federal eRulemaking Portal: http://www.regulations.gov.*

Follow the on-line instructions.

2. *E-mail: steckel.andrew@epa.gov.*

3. *Mail or deliver:* Andrew Steckel (Air-4), U.S. Environmental Protection Agency Region IX, 75 Hawthorne Street, San Francisco, CA 94105–3901.

Instructions: All comments will be included in the public docket without change and may be made available online at *http://www.regulations.gov,* including any personal information provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that you consider CBI or otherwise protected should be clearly identified as such and should not be submitted through *http://www.regulations.gov* or e-mail. *Http://www.regulations.gov* is an ''anonymous access'' system, and EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send e-mail directly to EPA, your e-mail address will be automatically captured and included as part of the public comment. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

Docket: The index to the docket for this action is available electronically at *http://www.regulations.gov* and in hard copy at EPA Region IX, 75 Hawthorne Street, San Francisco, California. While all documents in the docket are listed in the index, some information may be publicly available only at the hard copy location (e.g., copyrighted material), and some may not be publicly available in either location (e.g., CBI). To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: Francisco Dóñez, EPA Region IX, (415) 972–3956, *Donez.Francisco@epa.gov.*

SUPPLEMENTARY INFORMATION: This proposal addresses the following local rules: SJVUAPCD Rules 4307, 4308, 4309, 4352, and 4905. In the Rules and Regulations section of this **Federal Register**, we are approving 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. Please note that if we receive adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, we may adopt as final those provisions of the rule that are not the subject of an adverse comment.

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: April 30, 2007.

Laura Yoshii,

Acting Regional Administrator, Region IX.

[FR Doc. E7–10238 Filed 5–29–07; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 81

[EPA–R03–OAR–2007–0175; FRL–8319–9]

Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Redesignation of the Reading Ozone Nonattainment Area to Attainment and Approval of the Area's Maintenance Plan and 2002 Base Year Inventory

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve a redesignation request and a State Implementation Plan (SIP) revisions submitted by the Commonwealth of Pennsylvania. The Pennsylvania Department of Environmental Protection (PADEP) is requesting that the Reading, Berks County, Pennsylvania ozone nonattainment area (Reading Area) be redesignated as attainment for the 8-hour ozone national ambient air quality standard (NAAQS). EPA is proposing to approve the ozone redesignation request for Reading Area. In conjunction with its redesignation request, PADEP submitted a SIP revision consisting of a maintenance plan for Reading Area that provides for continued attainment of the 8-hour ozone NAAQS for at least 10 years after redesignation and that amends the existing 1-hour ozone maintenance plan for the Reading Area. EPA is proposing to make a determination that the Reading Area has attained the 8-hour ozone NAAQS, based upon three years of complete, quality-assured ambient air quality ozone monitoring data for 2003–2005. EPA's proposed approval of the 8-hour ozone redesignation request is based on its determination that the Reading Area has met the criteria for redesignation to attainment specified in the Clean Air Act (CAA). In addition, PADEP submitted a 2002 base year inventory for the Reading Area which EPA is proposing to approve as a SIP revision. EPA is also providing information on the status of its adequacy determination for the motor vehicle emission budgets (MVEBs) that are identified in the Reading Area maintenance plan for purposes of transportation conformity, which EPA is also proposing to approve.