

is needed. EPA has proposed that the rule be applied prospectively, but we are soliciting further comments on this issue.

#### List of Subjects in 40 CFR Part 2

Environmental protection, Administrative practice and procedure, Confidential business information, Freedom of information, Government employees.

Dated: December 15, 2000.

**Carol M. Browner,**  
Administrator.

[FR Doc. 00-32565 Filed 12-20-00; 8:45 am]

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#### ENVIRONMENTAL PROTECTION AGENCY

##### 40 CFR Part 52

[WY-001-0006b; FRL-6886-9]

#### Clean Air Act Approval and Promulgation of State Implementation Plan; Wyoming; Revisions to Air Pollution Regulations

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

**ACTION:** Proposed rule.

**SUMMARY:** The EPA is proposing to partially approve and partially disapprove revisions to the State Implementation Plan (SIP) submitted by the Governor of Wyoming on May 21, 1999. The submittal incorporates revisions to the following sections of the Wyoming Air Quality Standards and Regulations (WAQSR): Section 2 Definitions, Section 4 Sulfur oxides, Section 5 Sulfuric acid mist, Section 8 Ozone, Section 9 Volatile organic compounds, Section 10 Nitrogen oxides, Section 14 Control of particulate emissions, and Section 21 Permit requirements for construction, modification and operation. EPA is proposing to partially disapprove the provisions that allow the Administrator of the Wyoming Air Quality Division to approve alternative test methods to those required in the SIP (sections 2, 4, 5, 10, and 14 of the WAQSR) because such provisions are inconsistent with section 110(i) of the Clean Air Act (Act) and the requirement that SIP provisions can only be modified through revision to the SIP and approval by EPA. The intended effect of this action, once final, is to make federally enforceable those provisions that EPA is approving. EPA is proposing this action under section 110 of the Act.

In the "Rules and Regulations" section of this **Federal Register**, EPA is acting on the State's SIP revision as a

direct final rule without prior proposal because the Agency views this as a noncontroversial SIP revision and anticipates no adverse comments. A detailed rationale for the approval is set forth in the preamble to the direct final rule. If EPA receives no adverse comments, EPA will not take further action on this proposed rule. If EPA receives adverse comments, EPA will withdraw the direct final rule and it will not take effect. EPA will address all public comments in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting must 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 may be 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 must be received in writing on or before January 22, 2001.

**ADDRESSES:** Written comments may be mailed to Richard R. Long, Director, Air and Radiation Program, Mailcode 8P-AR, Environmental Protection Agency, Region VIII, 999 18th Street, Suite 300, Denver, Colorado, 80202. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air and Radiation Program, Environmental Protection Agency, Region VIII, 999 18th Street, Suite 300, Denver, Colorado, 80202-2466. Copies of the State documents relevant to this action are available for public inspection at the Air Quality Division, Department of Environmental Quality, 122 West 25th Street, Cheyenne, Wyoming, 82002.

**FOR FURTHER INFORMATION CONTACT:** Kerri Fiedler, EPA Region VIII, (303) 312-6493.

**SUPPLEMENTARY INFORMATION:** See the information provided in the Direct Final action of the same title which is located in the Rules and Regulations section of this **Federal Register**.

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

Dated: October 6, 2000.

**Jack W. McGraw,**

Acting Regional Administrator, Region VIII.

[FR Doc. 00-32240 Filed 12-20-00; 8:45 am]

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#### ENVIRONMENTAL PROTECTION AGENCY

##### 40 CFR Part 81

[Docket Id-00-01; FRL-6920-8]

#### Finding of Attainment for PM-10; Portneuf Valley PM-10 Nonattainment Area, Idaho

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

**ACTION:** Proposed rule; extension of comment period.

**SUMMARY:** EPA is extending the public comment period on EPA's notice of proposed rulemaking "Finding of Attainment for PM-10; Portneuf Valley PM-10 Nonattainment Area, Idaho," published on December 6, 2000 at 65 FR 76203. The comment period was originally scheduled to close on December 26, 2000. The comment period is being extended until January 19, 2001.

**DATES:** All comments regarding EPA's proposed rulemaking published on December 6, 2000 must be received by EPA in writing on or before close of business on January 19, 2001.

**ADDRESSES:** Written comments should be mailed to Debra Suzuki, SIP Manager, Office of Air Quality, Mailcode OAQ-107, EPA Region 10, 1200 Sixth Avenue, Seattle, Washington, 98101. Copies of documents relevant to this action are available for public review during normal business hours (8:00 AM to 4:30 PM) at this same address.

**FOR FURTHER INFORMATION CONTACT:** Steven K. Body, Office of Air Quality, EPA Region 10, 1200 Sixth Avenue, Seattle Washington, 98101, (206) 553-0782.

**SUPPLEMENTARY INFORMATION:** On December 6, 2000, we solicited public comment on a proposal to find that the Portneuf Valley nonattainment area in Idaho has attained the National Ambient Air Quality Standard (NAAQS) for particulate matter with an aerodynamic diameter of less than, or equal to a nominal ten micrometers (PM-10) as of December 31, 1996. See 65 FR 76203. In the proposal, we stated that EPA would accept public comments on the proposal until December 26, 2000.

EPA has received a request to extend the public comment period. In light of this request, we are extending the public comment period to January 19, 2001, resulting in a public comment period of 44 days. All written comments received by EPA by January 19, 2001, will be considered in our final action.

**List of Subjects in 40 CFR Part 81**

Environmental protection, Air pollution control, Intergovernmental relations, Particulate matter.

Dated: December 15, 2000.

**Ronald A. Kreizenbeck,**

*Acting Regional Administrator, Region 10.*

[FR Doc. 00-32563 Filed 12-20-00; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 97**

[FRL-6919-7]

**Findings of Significant Contribution and Rulemaking on Section 126 Petitions for Purposes of Reducing Interstate Ozone Transport—Federal NO<sub>x</sub> Budget Trading Program, Rule Revision**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing to amend the Federal NO<sub>x</sub> Budget Trading Program regulations to revise the allowance allocations for certain NO<sub>x</sub> Budget units subject to the program. In January 2000, EPA took final action (the January 2000 final rule) under section 126 of the Clean Air Act (CAA) on petitions filed by eight Northeastern States seeking to mitigate interstate transport of nitrogen oxides (NO<sub>x</sub>), one of the precursors of ground-level ozone. EPA determined that a number of large electric generating units (EGUs) and large industrial boilers and turbines (non-EGUs) named in the petitions emit in violation of the CAA prohibitions against significantly contributing to nonattainment or maintenance problems in the petitioning States. EPA also established the Federal NO<sub>x</sub> Budget Trading Program as the control remedy for these sources, determined allowable emissions for the sources, and allocated authorizations to emit NO<sub>x</sub> (*i.e.*, NO<sub>x</sub> allowances) to the sources.

After promulgation of EPA's January 2000 final rule, some owners, or associations of owners, of EGUs or non-EGUs filed petitions with the U.S. Court of Appeals for the District of Columbia Circuit (D.C. Circuit) challenging, among other things, the allowance allocations for certain units under the rule. Subsequently, EPA entered into settlements with these owners or associations of owners. Today's action proposes to revise the allocations in the January 2000 final rule for these units in

a manner consistent with the settlements.

In addition, after promulgation of the January 2000 final rule, owners of non-EGUs requested EPA to correct allowance allocations for two other units under the rule. EPA responded that it was treating the requests as requests for reconsideration of the two units' allocations under the rule and would propose to revise the allocations. Today's action includes such a proposal for these units.

**DATES:** If you want to submit any written comments on this proposed rule, EPA must receive the written comments by January 30, 2001.

**Public Hearing:** A public hearing will be held at 9:30 a.m. on January 2, 2001.

**ADDRESSES:** *Comments:* If you submit any written comments on this proposed rule, the comments must reference Docket No. A-97-43 and must be submitted in duplicate to Air and Radiation Docket and Information Center (6102), Attention: Docket No. A-97-43, U.S. Environmental Protection Agency, 401 M Street, SW, Room M-1500, Washington, DC 20460.

**Docket:** Docket No. A-97-43, containing supporting information used in developing the proposed rule, is available for public inspection and copying between 8 a.m. and 4 p.m., Monday through Friday, at EPA's Air and Radiation Docket and Information Center at the above address. EPA may charge a reasonable fee for copying.

**Public Hearing:** The public hearing will be held at the EPA Auditorium, 401 M Street, SW., Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Dwight C. Alpern, at (202) 564-9151, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., (6204J), Washington, DC 20460; or the Acid Rain Hotline at (202) 564-9089.

**SUPPLEMENTARY INFORMATION:****Availability of Related Information**

The official record for this rulemaking, as well as the public version, has been established under Docket No. A-97-43 (including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of electronic comments, that does not include any information claimed as confidential business information, is available for inspection from 8 a.m. to 4 p.m. Monday through Friday, excluding legal holidays. The official rulemaking record is located at the address in the **ADDRESSES** section. In addition, the **Federal Register** rulemaking actions under section 126 and the associated

documents are located at <http://www.epa.gov/ttn/rto/126>.

The EPA has issued a separate rule on NO<sub>x</sub> transport entitled, "Finding of Significant Contribution and Rulemaking for Certain States in the Ozone Transport Assessment Group Region for Purposes of Reducing Regional Transport of Ozone" (the NO<sub>x</sub> State implementation plan call (NO<sub>x</sub> SIP call)). The rulemaking docket for that rule contains information and analyses that were relied on in the January 2000 final rule. Therefore, EPA is incorporating by reference the entire NO<sub>x</sub> SIP call record for purposes of today's rulemaking. Documents related to the NO<sub>x</sub> SIP call are available for inspection in Docket No. A-96-56 at the address and times given above. In addition, the documents associated with the NO<sub>x</sub> SIP call are located at <http://www.epa.gov/ttn/oarpg/otagsip.html>.

**Outline**

The information in this preamble is organized as follows:

- I. Background
- II. Proposed Rule Revisions
  - A. Rationale for proposing to revise certain units' allocations.
    1. "Stranded units".
    2. West Virginia non-EGUs.
    3. Blue Ridge Paper Products Company, Riley Bark Boiler, Plant 0159.
    4. Michigan State University, Unit 0056, Plant K3249.
  - B. Proposed sources of NO<sub>x</sub> allowances for revised allocations.
    1. Sources of allowances under part 97.
      - a. Allocations in Appendices A and B to part 97.
      - b. Allocation set-aside.
      - c. Compliance supplement pool.
    2. Proposed approach for obtaining allowances for units' revised allocations.
      - a. Proposed approach for West Virginia non-EGUs.
      - b. Proposed approach for remaining units.
        - i. Use of allocations to non- NO<sub>x</sub> Budget units.
        - ii. Use of compliance supplement pool allowances.
    - C. Proposed amount of allowances for units' revised allocations.
    - D. Proposed changes to regulatory text.
  - III. Administrative Requirements
    - A. Executive Order 12866: Regulatory Impacts Analysis
    - B. Regulatory Flexibility Act: Small Entity Impacts
    - C. Unfunded Mandates Reform Act
    - D. Paperwork Reduction Act
    - E. Executive Order 13045: Protection of Children from Environmental Health Risks and Safety Risks
    - F. Executive Order 12898: Environmental Justice
    - G. Executive Order 13132: Federalism
    - H. Executive Order 13084: Consultation and Coordination with Indian Tribal Governments