

I. Review Under the Regulatory Flexibility Act

The Regulatory Flexibility Act, 5 U.S.C. 601–621, requires Federal agencies to perform a regulatory flexibility analysis if a final rule is likely to have a significant economic impact on a substantial number of small entities and there is a legal requirement to issue a general notice of proposed rulemaking. Western has determined this action does not require a regulatory flexibility analysis since it is a rulemaking of particular applicability involving rates or services applicable to public property.

II. Small Business Regulatory Enforcement Fairness Act

Western determined this rule is exempt from congressional notification requirements under 5 U.S.C. 801 because the action is a rulemaking of particular applicability relating to rates or services and involves matters of procedure.

III. Determination 12866

DOE has determined that this is not a significant regulatory action because it does not meet the criteria of Executive Order 12866, 58 FR 51735. Western has an exemption from centralized regulatory review under Executive Order 12866; accordingly, this notice requires no clearance by the Office of Management and Budget.

IV. Environmental Compliance

Western has completed an environmental impact statement on the Program, pursuant to the National Environmental Policy Act of 1969 (NEPA). The Record of Decision was published in 60 FR 53181, October 12, 1995. Western's NEPA review assured all environmental effects related to these actions have been analyzed.

Dated: April 9, 2002.

Michael S. HacsKaylo,
Administrator.

[FR Doc. 02–9765 Filed 4–19–02; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[Petition IV–2000–I; FRL–7173–2]

Clean Air Act Operating Permit Program; Petition for Objection to State Operating Permit for Kerr-McGee Chemicals, LLC; Mobile County, AL

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of final order on petition to object to a state operating permit.

SUMMARY: This document announces that the EPA Administrator has denied a petition to object to a state operating permit issued by the Alabama Department of Environmental Management to Kerr-McGee Chemicals, LLC, Mobile County, Alabama. Pursuant to section 505(b)(2) of the Clean Air Act (Act), petitioners may seek judicial review of the petition in the United States Court of Appeals for the appropriate circuit within 60 days of this decision under section 307 of the Act.

ADDRESSES: You may review copies of the final order, the petition, and other supporting information at EPA Region 4, Air, Pesticides and Toxics Management Division, 61 Forsyth Street, SW., Atlanta, Georgia 30303–8960. If you wish to examine these documents, you should make an appointment at least 24 hours before visiting day. The final order is also available electronically at the following address: http://www.epa.gov/region07/programs/artd/air/title5/petitiondb/petitions/kerrmcgee_decision2000.pdf

FOR FURTHER INFORMATION CONTACT: Joel Huey, Air Permits Section, EPA Region 4, at (404) 562–9104 or huey.joel@epa.gov.

SUPPLEMENTARY INFORMATION: The Act affords EPA a 45-day period to review, and object to as appropriate, operating permits proposed by state permitting authorities. Section 505(b)(2) of the Act authorizes any person to petition the EPA Administrator within 60 days after the expiration of the review period to object to state operating permits if EPA has not done so. Petitions must be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided by the state, unless the petitioner demonstrates that it was impracticable to raise these issues during the comment period or the grounds for the issues arose after this period. Mobile Bay Watch, Inc., submitted a petition to the Administrator on May 22, 2000, seeking EPA's objection to the operating permit issued to Kerr-McGee Chemicals, LLC. The petitioner maintains that the Kerr-McGee Chemicals operating permit is inconsistent with the Act because the permit fails to: (1) Require adequate periodic monitoring of facility emissions; (2) require the facility to prepare a Risk Management Plan as well as Worst Case Scenario and Planning Case Scenario; and (3) reflect the comments submitted by Mobile Bay

Watch during the 30-day draft permit period. Mobile Bay Watch also bases its petition on the following statements: (1) Kerr-McGee requested in its permit application that the number of federally enforceable limitations in the operating permit be minimized; (2) Kerr-McGee requested in its permit application that the permit include a permit shield; (3) the period between the date of the permit application and the issuance of the draft permit was excessive; and (4) EPA failed to fully review the Kerr-McGee Chemicals permit.

On February 1, 2002, the Administrator issued an order denying the petition. The order explains the reasons behind EPA's conclusion that the petitioner has failed to demonstrate that the Kerr-McGee Chemicals permit does not assure compliance with the Act on the grounds raised.

Dated: March 18, 2002.

A. Stanley Meiburg,

Deputy Regional Administrator, Region 4.
[FR Doc. 02–9495 Filed 4–19–02; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL–7173–9]

EPA Science Advisory Board; Notification of Public Advisory Committee Meetings; Underground Storage Tanks (UST) Cleanup/Resource Conservation and Recovery Act (RCRA); Program Benefits, Costs and Impacts (BCI) Review Panel

Pursuant to the Federal Advisory Committee Act, Public Law 92–463, notice is hereby given of three meetings of the Underground Storage Tanks (UST) Cleanup/Resource Conservation Recovery Act (RCRA) Program Benefits, Costs and Impacts (BCI) Review Panel (UST/RCRA BCI Review Panel, or “the Panel”) of the Executive Committee of the US EPA Science Advisory Board (SAB). The Panel will meet on the dates and times noted below. All times noted are Eastern Time. All meetings are open to the public, however, seating is limited and available on a first come basis. For teleconference meetings, available lines may also be limited. *Important Notice:* Documents that are the subject of SAB reviews are normally available from the originating EPA office and are not available from the SAB Office—information concerning availability of documents from the relevant Program Office is included below.