

traditional rulemaking process, and instead explore openly with other parties all ideas that may emerge from the discussions of the committee.

#### *E. Facilitator*

The facilitator will not be involved with the substantive development of the standard. Rather, the facilitator's role generally includes:

- Facilitating the meetings of the committee in an impartial manner; and
- Impartially assisting the members of the Committee in conducting discussions and negotiations;

#### *F. EPA Representative*

The EPA representative will be a full and active participant in the consensus building negotiations. The Agency's representative will meet regularly with various senior Agency officials, briefing them on the negotiations and receiving their suggestions and advice, to effectively represent the Agency's views regarding the issues before the Committee. EPA's representative also will ensure that the entire spectrum of federal governmental interests affected by the all appropriate inquiry rulemaking, including the Office of Management and Budget, the Department of Justice, and other Departments and agencies, are kept informed of the negotiations and encouraged to make their concerns known in a timely fashion.

#### *G. Committee Notice and Schedule*

EPA will have an open public meeting of all parties to discuss the possibility of using negotiated rulemaking on April 15, 2003. The Public Meeting will be held in Learning Forum Rooms A and B of the Marriott Learning Complex in the Ronald Reagan Building at 1300 Pennsylvania Avenue NW., Washington, DC 20004. The meeting is scheduled for 1 p.m. to 3 p.m. If EPA proceeds with a negotiated rulemaking committee on all appropriate inquiry, EPA plans for the Committee to begin deliberations in May, 2003 and conclude negotiations in December, 2003.

After evaluating the comments on this announcement and the requests for representation, EPA will issue a notice that will announce the establishment of the committee and its membership, unless after reviewing the comments, it is determined that such an action is inappropriate. The negotiation process will begin once the committee membership roster is published in the **Federal Register**.

#### **IV. Comments Requested**

EPA requests comments on whether it should use negotiated rulemaking to

develop draft language for this rule and the extent to which the issues, parties and procedures described above are adequate and appropriate.

Dated: February 27, 2003.

**Thomas P. Dunne,**

*Associate Assistant Administrator, EPA  
Office of Solid Waste and Emergency  
Response.*

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### **ENVIRONMENTAL PROTECTION AGENCY**

#### **40 CFR Part 62**

**[NH-055b; FRL-7458-4]**

#### **Approval and Promulgation of State Plans for Designated Facilities and Pollutants: New Hampshire; Negative Declaration**

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA proposes to approve the sections 111(d) negative declaration submitted by the New Hampshire Department of Environmental Services (DES) on July 22, 1998. This negative declaration adequately certifies that there are no existing municipal solid waste (MSW) landfills located in the state of New Hampshire that have accepted waste since November 8, 1987 and that must install collection and control systems according to EPA's emissions guidelines for existing MSW landfills.

**DATES:** EPA must receive comments in writing by April 7, 2003.

**ADDRESSES:** You should address your written comments to: Mr. Steven Rapp, Chief, Air Permits, Toxics & Indoor Programs Unit, Office of Ecosystem Protection, U.S. EPA, One Congress Street, Suite 1100 (CAP), Boston, Massachusetts 02114-2023.

Copies of documents relating to this proposed rule are available for public inspection during normal business hours at the following location: Environmental Protection Agency, Air Permits, Toxics & Indoor Program Unit, Office of Ecosystem Protection, One Congress Street, Suite 1100, Boston, Massachusetts 02114-2023. The interested persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before the day of the visit.

**FOR FURTHER INFORMATION CONTACT:** John Courcier, Office of Ecosystem Protection (CAP), EPA-New England, Region 1,

Boston, Massachusetts 02203, (617) 918-1659, or by e-mail at *courcier.john@epa.gov*. While the public may forward questions to EPA via e-mail, it must submit comments on this proposed rule according to the procedures outlined above.

**SUPPLEMENTARY INFORMATION:** Under section 111(d) of the Clean Air Act, EPA published regulations at 40 CFR part 60, subpart B which require states to submit control plans to control emissions of designated pollutants from designated facilities. In the event that a state does not have a particular designated facility located within its boundaries, EPA requires that a state submit a negative declaration in lieu of a control plan.

The New Hampshire DES submitted the negative declaration to satisfy the requirements of 40 CFR part 60, subpart B. In the Final Rules section of this **Federal Register**, EPA is approving the New Hampshire negative declaration as a direct final rule without a prior proposal. EPA is doing this because the Agency views this action as a noncontroversial submittal and anticipates that it will not receive any significant, material, and adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If EPA does not receive any significant, material, and adverse comments to this action, then the approval will become final without further proceedings. If EPA receives adverse comments, we will withdraw the direct final rule and EPA will address all public comments received in a subsequent final rule based on this proposed rule. EPA will not begin a second comment period.

Dated: February 20, 2003.

**Robert W. Varney,**

*Regional Administrator, EPA New England.*

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### **ENVIRONMENTAL PROTECTION AGENCY**

#### **40 CFR Part 62**

**[Region 2 Docket No. NJ57-251b; FRL-7459-5]**

#### **Approval and Promulgation of Plans for Designated Facilities; New Jersey; Delegation of Authority**

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

**ACTION:** Proposed rule.

**SUMMARY:** The EPA is proposing approval of the New Jersey Department of Environmental Protection's request