

Administrative Code. The rule being removed applies to a single source, Aluminum Company of America (ALCOA), located in Warrick County. Because ALCOA remains subject to more stringent Federal requirements, EPA approval should not result in an adverse impact on air quality.

In the "Rules and Regulations" section of this **Federal Register**, EPA is approving the State's request as a direct final rule without prior proposal because EPA views this action as noncontroversial and anticipates no adverse comments. The rationale for approval is set forth in the direct final rule. If EPA receives no written adverse comments, EPA will take no further action on this proposed rule. If EPA receives written adverse comment, we will publish a timely withdrawal of the direct final rule in the **Federal Register** and inform the public that the rule will not take effect. In that event, EPA will address all relevant public comments in a subsequent final rule based on this proposed rule. In either event, EPA will not institute a second comment period on this action. Any parties interested in commenting must do so at this time.

**DATES:** Comments on this action must be received by April 10, 2003.

**ADDRESSES:** Written comments should be mailed to: J. Elmer Bortzer, Chief, Regulation Development Section, Air Programs Branch (AR-18J), USEPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

A copy of the plan revision request is available for inspection at the Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. (Please telephone Randolph Cano at (312) 886-6036 before visiting the Region 5 Office.)

**FOR FURTHER INFORMATION CONTACT:** Randolph Cano, Environmental Protection Specialist, Regulation Development Section, Air Programs Branch (AR-18J), USEPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-6036.

**SUPPLEMENTARY INFORMATION:** Throughout this document whenever "we," "us," or "our" are used we mean the EPA.

I. What action is EPA taking today?

II. Where can I find more information about this proposal and corresponding direct final rule?

### I. What Action Is EPA Taking Today?

The EPA is proposing to approve the removal of State rules controlling fluoride emission limitations from existing primary aluminum plants as a revision to the plan for control of

fluoride emissions from existing primary aluminum plants as requested by the State of Indiana on October 17, 2002, and as supplemented on January 22, 2003. The State submittal is in response to the repeal of these regulations from the Indiana Administrative Code (IAC). These rules have been superseded by other State rules which incorporate current Federal requirements into the IAC by reference. Because Federal requirements are federally enforceable, they need not be included in the State plan. The rule removed from the Indiana Plan applies to a single source, Aluminum Company of America (ALCOA) located in Warrick County. Because ALCOA remains subject to more stringent Federal requirements, Federal approval of this repeal should not result in an adverse impact on air quality.

### II. Where Can I Find More Information About This Proposal and Corresponding Direct Final Rule?

For additional information see the direct final rule published in the rules and regulations section of this **Federal Register**.

**Authority:** 42 U.S.C. 4201 *et seq.*

Dated: February 27, 2003.

**Bharat Mathur,**

*Acting Regional Administrator, Region 5.*

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 62

[CA 216-0387; FRL-7459-2]

### Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Large Municipal Waste Combustors; California

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve the California State Plan for implementing the emissions guidelines applicable to existing large municipal waste combustor units. The plan was submitted by the California Air Resources Board for the State of California to satisfy requirements of sections 111(d) and 129 of the Clean Air Act. The submitted plan applies to large municipal waste combustor units located in the San Joaquin Valley Unified Air Pollution Control District and South Coast Air Quality Management District. We are taking

comments on this proposal and intend to follow with a final action.

**DATE:** Any comments must arrive by April 10, 2003.

**ADDRESSES:** Mail comments to Andrew Steckel, Rulemaking Office Chief (AIR-4), U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901, or e-mail to [steckel.andrew@epa.gov](mailto:steckel.andrew@epa.gov).

You can inspect copies of the submitted State Plan and EPA's technical support document at our Region IX office during normal business hours. You may also see copies of the submitted State Plan at the following location: California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 1001 "I" Street, Sacramento, CA 95814.

**FOR FURTHER INFORMATION CONTACT:** Mae Wang, EPA Region IX, (415) 947-4124.

### SUPPLEMENTARY INFORMATION:

Throughout this document, "we," "us" and "our" refer to EPA.

### Table of Contents

- I. Background information
  - A. Under what authority is EPA proposing this action?
  - B. Why did California submit a State plan?
- II. The State's Submittal
  - A. What facilities are covered by the Plan?
  - B. What is the purpose of the submitted Plan?
- III. EPA's Evaluation and Action
  - A. How is EPA evaluating the Plan?
  - B. Does the Plan meet the evaluation criteria?
  - C. EPA recommendations to further improve the Plan
  - D. Proposed action
- IV. Statutory and Executive Order Reviews

### I. Background

#### A. Under What Authority Is EPA Proposing This Action?

Section 129 of the Clean Air Act, as amended in 1990 (CAA or the Act), requires EPA to develop regulations under section 111 to control air pollutant emissions from solid waste incineration units. Emissions from new municipal waste combustor (MWC) units are to be addressed by standards of performance for new sources (New Source Performance Standards or NSPS), and emissions from existing MWC units are to be addressed by guidelines (Emission Guidelines or EG). The Act requires that the MWC regulations reflect the maximum achievable control technology (MACT) and specifies that the emission standards for existing units in a category must be at least as stringent as the average emissions limitation achieved by the best performing 12 percent of units in the category (section 129(a)(2)).