

Worldwide Web (WWW). In addition to being available in the docket, an electronic copy of the final rule correction notice will also be available on the WWW through the Technology Transfer Network (TTN). Following signature, a copy of the final rule correction notice will be posted on the TTN's policy and guidance page for newly proposed or promulgated rules <http://www.epa.gov/ttn/oarpg>. The TTN provides information and technology exchange in various areas of air pollution control. If more information regarding the TTN is needed, call the TTN HELP line at (919) 541-5384.

I. Correction

On July 9, 2002 (67 FR 45588), the EPA promulgated the national emission standards for hazardous air pollutants (NESHAP) for rubber tire manufacturing as subpart XXXX in 40 CFR part 63. Today's action contains notification of typographical errors and corrections to clarify wording changes. The corrections will become effective immediately (without further rulemaking action) on March 12, 2003.

Table 17 to subpart XXXX contains two citations that indicate the applicability of the general provisions of 40 CFR part 63, subpart XXXX. Specifically, §§ 63.9(f), (g) and 63.10(b)(2)(i)-(iv) are referenced. The applicability of these provisions to subpart XXXX were indicated in the wrong columns of the table. Sections 63.9(f) and (g) are not applicable to subpart XXXX. Section 63.10(b)(2)(i)-(iv) is applicable to subpart XXXX when a control device is employed to meet the emission standards of subpart XXXX. Section 63.10(b)(2)(i)-(iv) is not applicable when a control device is not employed to comply with the emission standards of subpart XXXX. Today's action notifies interested parties of the corrections.

Several editorial changes are being made to clarify the intent of the provisions. Terminology in § 63.5994(c)(4), Equation 4, is being revised to clarify and correct the definition of the term HAP_k . The term HAP_k refers to the mass percent, expressed as a decimal, of all hazardous air pollutants (HAP) in cement and solvent. The term incorrectly stated "of the specified HAP." The revision to the term definition will correct the inconsistency in Equation 4.

The definition of cements and solvents, § 63.6015, is being revised to clarify a specific item in the list of cements and solvents subject to the Rubber Tire Manufacturing final rule. The list of cements and solvents includes materials used to clean process

equipment. The word "clean" was inadvertently left out of the final rule. The revision to include the word "clean" clarifies the intended meaning of the applicable cements and solvents.

II. Statutory and Executive Order Reviews

Under Executive Order 12866, Regulatory Planning and Review (58 FR 51735, October 4, 1993), this action is not a "significant regulatory action" and is therefore not subject to review by the Office of Management and Budget (OMB). This action is not a "major rule" as defined by 5 U.S.C. 804(2).

The technical correction does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Because EPA has made a "good cause" finding that this action is not subject to notice and comment requirements under the APA or any other statute, it is not subject to the regulatory flexibility provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), or to sections 202 and 205 of the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4). In addition, this action does not significantly or uniquely affect small governments or impose a significant intergovernmental mandate, as described in sections 203 and 204 of the UMRA.

The technical correction does not have substantial direct effects on the States, or on the relationship between the national government and the States, as specified in Executive Order 13132, Federalism (64 FR 43255, August 10, 1999).

Today's action also does not significantly or uniquely affect the communities of tribal governments, as specified by Executive Order 13175, Consultation and Coordination with Indian Tribal Governments (65 FR 67249, November 6, 2000).

The technical correction also is not subject to Executive Order 13045, Protection of Children from Environmental Health and Safety Risks (62 FR 19885, April 23, 1997) because it is not economically significant.

The technical correction is not subject to Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use (66 FR 28355, May 22, 2001) because it is not a significant regulatory action under Executive Order 12866.

The technical correction action does not involve changes to the technical standards related to test methods or monitoring methods; thus, the requirements of section 12(d) of the

National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272) does not apply.

The technical correction also does not involve special consideration of environmental justice-related issues as required by Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (59 FR 7629, February 16, 1994). The EPA has complied with Executive Order 12630, Governmental Actions and Interference With Constitutionally Protected Property Rights (Takings) (53 FR 8859, March 15, 1988) by examining the takings implications of this rule correction in accordance with the "Attorney General's Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings" issued under the Executive Order.

In issuing the technical correction, EPA has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct, as required by section 3 of Executive Order 12988, Civil Justice Reform (61 FR 4729, February 7, 1996).

The Congressional Review Act (CRA) (5 U.S.C. 801 *et seq.*), as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. Section 808 allows the issuing agency to make a rule effective sooner than otherwise provided by the CRA if the agency makes a good cause finding that notice and public procedure is impracticable, unnecessary or contrary to the public interest. This determination must be supported by a brief statement (5 U.S.C. 808(2)). As stated previously, EPA has made such a good cause finding, including the reasons therefore, and established an effective date of March 12, 2003. The EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**.

The EPA's compliance with these statutes and Executive Orders for the underlying rule is discussed in the July 9, 2002, **Federal Register** notice containing the Rubber Tire Manufacturing final rule (67 FR 45588).