

submit a rule report to Congress and the Comptroller General. However, section 808 provides that any rule for which the issuing agency for good cause finds that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest, shall take effect at such time as the agency promulgating the rule determines. 5 U.S.C. 808(2).

EPA has made such a good cause finding, including the reasons therefor, and established an effective date of March 24, 2003. 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**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This rule is not a "major rule" as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by May 23, 2003. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purpose of judicial review nor does it extend the time within which petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2)).

List of Subjects in 40 CFR Part 52

Air pollution control, Environmental protection, Incorporation by reference, Intergovernmental regulations, Ozone,

Reporting and recordkeeping, Volatile organic compounds.

Dated: February 13, 2003.

Alexis Strauss,

Acting Regional Administrator, Region IX.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA 242-0386; FRL-7460-8]

Revisions to the California State Implementation Plan, Imperial County Air Pollution Control District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is finalizing a limited approval and limited disapproval of a revision to the Imperial County Air Pollution Control District (ICAPCD) portion of the California State Implementation Plan (SIP). This action was proposed in the **Federal Register** on November 20, 2002, and concerns particulate matter (PM-10) emissions from emission units, electrical generation units, and fuel burning equipment. Under authority of the Clean Air Act as amended in 1990 (CAA or the Act), this action simultaneously approves a local rule that regulates these emission sources and directs California to correct rule deficiencies.

EPA is also finalizing a full approval of a revision to the ICAPCD portion of the California SIP concerning oxides of

nitrogen (NO_x) emissions from fuel burning equipment.

DATES: This rule is effective on April 23, 2003.

ADDRESSES: You can inspect copies of the administrative record for this action at EPA's Region IX office during normal business hours. You can inspect copies of the submitted SIP revisions at the following locations:

Environmental Protection Agency, Region IX,
75 Hawthorne Street, San Francisco, CA
94105-3901.

Environmental Protection Agency, Air
Docket (6102), Ariel Rios Building, 1200
Pennsylvania Avenue, NW., Washington
DC 20460.

California Air Resources Board, Stationary
Source Division, Rule Evaluation Section,
1001 "I" Street, Sacramento, CA 95814.

Imperial County Air Pollution Control
District, 150 South 9th Street, El Centro,
CA 92243.

A copy of the rule may also be available via the Internet at <http://www.arb.ca.gov/drdb/drdbltxt.htm>. Please be advised that this is not an EPA website and may not contain the same version of the rule that was submitted to EPA.

FOR FURTHER INFORMATION CONTACT: Al Petersen, Rulemaking Office (AIR-4), U.S. Environmental Protection Agency, Region IX; (415) 947-4118.

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

I. Proposed Action

On November 20, 2002 (67 FR 70032), EPA proposed a limited approval and limited disapproval of the following rule that was submitted for incorporation into the California SIP.

TABLE 1.—SUBMITTED RULE

Local agency	Rule #	Rule title	Revised	Submitted
ICAPCD	403	General Limitations on the Discharge of Air Contaminants	07/24/01	10/30/01

On January 18, 2002, this rule submittal was found to meet the completeness criteria in 40 CFR part 51, appendix V, which must be met before formal EPA review.

We proposed a limited approval because we determined that this rule improves the SIP and is largely consistent with the relevant CAA

requirements. We simultaneously proposed a limited disapproval because some rule provisions conflict with section 110 and part D of the CAA. These provisions include the following:

- Rule 403 should have monitoring and recordkeeping requirements in order to assure compliance with PM emission standards.

- Rule 403 should have some limitation on the period or conditions allowed for the exemption from PM emission standards during start-up and load changes.

On November 20, 2002 (67 FR 70032), EPA proposed a full approval of the following rule that was submitted for incorporation into the California SIP.

TABLE 2.—SUBMITTED RULE

Local agency	Rule #	Rule title	Revised	Submitted
ICAPCD	400	Fuel Burning Equipment—Oxides of Nitrogen	09/14/99	05/26/00