

If the EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time. Please note that if we receive adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, we may adopt as final those provisions of the rule that are not the subject of an adverse comment.

For additional information, see the Direct Final rule which is located in the Rules section of this **Federal Register**.

Dated: December 17, 2002.

**L. John Iani,**

*Regional Administrator, Region 10.*

[FR Doc. 03-853 Filed 1-21-03; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[NV-040-0067; FRL-7440-5]

#### Approval and Promulgation of Implementation Plans; Nevada—Las Vegas Valley PM-10 Nonattainment Area; Serious Area Plan for Attainment of the Annual and 24-Hour PM-10 Standards

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA proposes to approve provisions of the *PM-10 State Implementation Plan for Clark County*, June 2001, (Clark County plan) that address attainment of the annual and 24-hour PM-10 national ambient air quality standards. We also propose to grant Nevada's request to extend the Clean Air Act deadline for attaining the 24-hour PM-10 standard in the Las Vegas area from 2001 to 2006.

**DATES:** Comments on this proposal must be received in writing by February 21, 2003. Comments should be addressed to the contact listed below.

**ADDRESSES:** Comments should be mailed to: Karen Irwin, Office of Air Planning (AIR-2), EPA Region 9, 75 Hawthorne Street, San Francisco, CA 94105-3901.

A copy of docket No. NV-01-03, containing the EPA technical support document (TSD) and other material relevant to this proposed action, is available for public inspection at EPA's

Region 9 office during normal business hours. We may charge you a reasonable fee for copying parts of the docket. Environmental Protection Agency, Region 9, Air Division, Air Planning Office (AIR-2), 75 Hawthorne Street, San Francisco, CA 94105-3901.

Copies of the SIP materials are also available for inspection at the addresses listed below: Clark County Department of Air Quality Management, 500 S. Grand Central Pky, Las Vegas, Nevada 89155. Nevada Division of Environmental Protection, 333 West Nye Lane, Carson City, Nevada 89710.

#### Electronic Availability

This document and the TSD are also available as electronic files on EPA's Region 9 Web Page at <http://www.epa.gov/region09/air>.

#### FOR FURTHER INFORMATION CONTACT:

Karen Irwin, Office of Air Planning (AIR-2), U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, California 94105. (415) 947-4116, email: [irwin.karen@epa.gov](mailto:irwin.karen@epa.gov).

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#### I. Summary of Today's Proposal

First, we propose to approve the provisions in the *PM-10 State Implementation Plan for Clark County*, submitted on July 25, 2001,<sup>1</sup> ("the Clark County serious area plan" or "Plan") that address attainment of the annual and 24-hour PM-10 standards.<sup>2</sup> Our proposed actions are based on our initial determination that the Clark County serious area plan complies with the Clean Air Act's (CAA or "the Act") requirements for serious PM-10 nonattainment area plans.

First, we propose to approve the following specific elements of the plan as they pertain to the standards:

- Demonstration that the plan provides for implementation of best available control measures (BACM);
- Emissions inventory;
- Demonstration of attainment of the annual standard by the CAA deadline of December 31, 2001 and demonstration that attainment of the 24-hour standard by December 31, 2001 is impracticable;
- Demonstration that attainment of the 24-hour standard will occur by the most expeditious alternative date practicable, in this case, December 31, 2006;
- Clark County fugitive dust rules (Sections 90 through 94 and portions of Section 0);
- Demonstration that the plan provides for reasonable further progress and quantitative milestones;
- Transportation conformity budget; and
- Contingency measures.

Second, we are proposing to grant Nevada's request to extend the attainment date for the 24-hour PM-10 standard from December 31, 2001 to December 31, 2006. We make this proposal based on our determination that the State has met the CAA's criteria for granting such extensions.

This preamble describes our proposed actions on the Clark County serious area

<sup>1</sup> On October 24, 2002, the Nevada Division of Environmental Protection submitted to EPA revised versions of Clark County sections 90 through 93, dated November 20, 2001, which supersede earlier versions submitted with the Plan. Also, on November 19, 2002, the Nevada Division of Environmental Protection submitted to EPA an amendment to the Clark County PM-10 Plan adopted by the Clark County Board of Commissioners on November 19, 2002.

<sup>2</sup> There are two separate national ambient air quality standards for PM-10, an annual standard of 50 µg/m<sup>3</sup> and a 24-hour standard of 150 µg/m<sup>3</sup>.