

“major rule” as defined by 5 U.S.C. 804(2).

### C. Petitions for Judicial Review

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by August 25, 2003. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action, approving the Allegheny County Health Department FESOP, may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: June 4, 2003.

Donald S. Welsh,

Regional Administrator, Region III.

■ 40 CFR part 52 is amended as follows:

### PART 52—[AMENDED]

■ 1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

### Subpart NN—Pennsylvania

■ 2. Section 52.2020 is amended by adding paragraph (c)(209) to read as follows:

#### § 52.2020 Identification of plan.

\* \* \* \* \*

(c) \* \* \*

(209) Revisions to the Allegheny County, Pennsylvania Regulations for a federally enforceable state operating permit program, submitted on November 9, 1998 and March 1, 2001, by the Pennsylvania Department of Environmental Protection on behalf of the Allegheny County Health Department:

(i) Incorporation by reference.

(A) Letters of November 9, 1998 and March 1, 2001 from the Pennsylvania Department of Environmental Protection, on behalf of the Allegheny County Health Department, transmitting a federally enforceable state operating permit program.

(B) Addition of the following Allegheny County Health Department Rules and Regulations, Article XXI Air Pollution Control:

(1) Regulation 2101.05, Regulation 2103.12—effective March 31, 1998.

(2) Regulation 2103.01, Regulation 2103.11, Regulation 2103.13, Regulation 2103.15—effective October 20, 1995.

(3) Regulation 2103.14—effective January 12, 2001.

(ii) Additional Material—Remainder of the State submittal(s) pertaining to the revisions listed in paragraph (c)(209)(i) of this section.

\* \* \* \* \*

[FR Doc. 03-16024 Filed 6-25-03; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 52 and 81

[CA-282-0389; FRL-7515-4]

### Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; 1-Hour Ozone Standard for San Diego, CA

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

**SUMMARY:** EPA is taking final action to redesignate the San Diego County area to attainment for the 1-hour ozone National Ambient Air Quality Standard (NAAQS). EPA is also approving a 1-hour ozone maintenance plan and motor vehicle emissions budgets as revisions to the San Diego portion of the California State Implementation Plan (SIP).

**EFFECTIVE DATE:** This action is effective July 28, 2003.

**ADDRESSES:** You can inspect copies of the docket for this action during normal business hours at EPA's Region IX office. Please contact John Kelly if you wish to schedule a visit. You can inspect copies of the submitted SIP materials at the following locations: U.S. EPA, Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901.

California Air Resources Board, 1001 I Street, Sacramento, California, 95812. San Diego County Air Pollution Control District, 9150 Chesapeake Drive, San Diego, CA 92123-1096.

The plan is also available electronically at: <http://www.sdapcd.co.san-diego.ca.us/reports/RedesigPlan.pdf>.

**FOR FURTHER INFORMATION CONTACT:** John J. Kelly, EPA Region IX, (415) 947-4151, or [kelly.johnj@epa.gov](mailto:kelly.johnj@epa.gov).

### SUPPLEMENTARY INFORMATION:

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

### I. Background

On March 20, 2003 (68 FR 13653-13657), we proposed to redesignate the San Diego County area to attainment for the 1-hour ozone National Ambient Air Quality Standard (NAAQS). We also proposed to approve a 1-hour ozone maintenance plan and motor vehicle emissions budgets as revisions to the San Diego portion of the California State Implementation Plan. The maintenance plan and budgets are contained in the Ozone Redesignation Request and Maintenance Plan for San Diego County, which was adopted December 11, 2002 by the board of the San Diego County Air Pollution Control District (“SDCAPCD”) and submitted by the California Air Resources Board on December 20, 2002.

In our March proposal, we stated that final approval would be contingent upon our affirmative finding that the latest update to California's motor vehicle emissions model, known as EMFAC2002, is acceptable for purposes of SIP development and transportation conformity. On April 1, 2003, we published a **Federal Register** notice, stating our conclusion that the EMFAC2002 emission factor model is acceptable for use in SIP development and transportation conformity. (68 FRN 15720-15723)

The proposal contains detailed information on the SIP submittal and our evaluation of the submittal against applicable CAA provisions and EPA policies relating to 1-hour ozone maintenance SIPs, redesignations and budgets.

### II. Public Comments

We received no public comment on our proposed action.

### III. EPA Action

In this document we are finalizing our proposed approval of the Ozone Redesignation Request and Maintenance Plan for San Diego County (December 2002), as meeting applicable provisions for 1-hour ozone maintenance plans, under CAA sections 175A and 110(k)(3). As part of this action, we are finalizing approval for the following specific plan elements. We indicate on which page of our proposal the element is discussed.

(1) Approval of the emissions inventories for 2001, 2005, 2010, and 2014, under CAA section 172(c)(3) and 175A (68 FR 13654).