

Copies of the state submittal are available at the following addresses for inspection during normal business hours:

Environmental Protection Agency,
Region 4, Air Planning Branch, 61
Forsyth Street, SW., Atlanta, Georgia
30303-8960.

Florida Department of Environmental
Protection, Twin Towers Office
Building, 2600 Blair Stone Road,
Tallahassee, Florida 32399-2400.

FOR FURTHER INFORMATION CONTACT:

Heidi LeSane at (404) 562-9035 (E-mail:
lesean.heidi@epa.gov).

SUPPLEMENTARY INFORMATION: For
additional information see the direct
final rule which is published in the
rules section of this **Federal Register**.

Dated: January 8, 2003.

A. Stanley Meiburg,

Acting Regional Administrator, Region 4.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52, 61 and 62

[SD-001-0013, SD-001-0014, SD-001-0015;
FRL-7443-7]

Approval and Promulgation of Air Quality Implementation Plans; South Dakota

AGENCY: Environmental Protection
Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to partially approve and partially disapprove State Implementation Plan (SIP) revisions submitted by the State of South Dakota on May 6, 1999 and June 30, 2000. The revisions modify the State's air quality rules so they are consistent with federal rules and clarify existing provisions. EPA is also proposing to remove from the SIP or not approve into the SIP, certain provisions of the State's air quality rules because they are not related to attainment or maintenance of the National Ambient Air Quality Standards (NAAQS) and are not appropriate for inclusion in the SIP. This action is being taken under section 110 of the Clean Air Act.

DATES: Written comments must be received on or before February 26, 2003.

ADDRESSES: Written comments may be mailed to Richard R. Long, Director, Air and Radiation Program, Mailcode 8P-AR, Environmental Protection Agency (EPA), Region VIII, 999 18th Street, Suite 300, Denver, Colorado 80202. Copies of the documents relevant to this

action are available for public inspection during normal business hours at the Air and Radiation Program, Environmental Protection Agency, Region VIII, 999 18th Street, Suite 300, Denver, Colorado 80202. Copies of the State documents relevant to this action are available for public inspection at the South Dakota Department of Environmental and Natural Resources, Air Quality Program, Joe Foss Building, 523 East Capitol, Pierre, South Dakota 57501.

FOR FURTHER INFORMATION CONTACT:

Laurel Dygowski, EPA, Region VIII,
(303) 312-6144.

SUPPLEMENTARY INFORMATION: For the purpose of this document, we are giving meaning to certain words as follows: (a) The words "EPA," "we," "us" or "our" mean or refer to the United States Environmental Protection Agency; (b) The words State or South Dakota mean the State of South Dakota unless the context indicates otherwise.

In this document we are proposing to partially approve and partially disapprove SIP revisions submitted by the State of South Dakota on May 6, 1999 and June 30, 2000. These revisions modify the State's air quality rules so they are consistent with federal rules and clarify existing provisions. We have already acted on several portions of the State's May 6, 1999 submittal. Below is a discussion of the revisions to the State's air quality rules and whether or not they are being proposed for approval into the SIP. We also identify those provisions of the submittal that have already been acted on. The June 30, 2000 submittal also revised the State's New Source Performance Standards (NSPS) in Chapter 74:36:07. We have addressed the majority of the NSPS revisions in Chapter 74:36:07 in a separate document (67 FR 57520).

I. Summary of SIP Revision

A. Chapter 74:36:01, South Dakota Air Pollution Control Program (SDAPCP)

The State's May 6, 1999 submittal made the following revisions to the Chapter 74:36:01—Definitions:

1. Minor changes were made to the definitions of "allowable emissions," "final permit," "permit modification," and "reference method."

2. Two definitions were deleted, "FAA" and "organized disposal system," because earlier rule revisions had deleted the sections that contained these words.

3. Substantive changes were made to the following definitions: (a) "minor source" was revised to indicate that a minor source will be based on its potential emissions of a *criteria*

pollutant rather than *any regulated pollutant*; (b) "particulate matter" was revised to read "a broad class of chemically and physically diverse substances that exist as discrete particles, liquid droplets, or solids over a wide range of sizes"; (c) "PM10" was revised to indicate that an *equivalent method*, in addition to the applicable reference method, may be used to measure PM10; and (d) "VOC" was revised to exclude additional compounds of carbon from the definition.

4. A definition for "PM2.5" was added.

5. Minor changes were made in the sections "Administrative permit amendment defined" (section 74:36:01:03), "Applicable requirements of Clean Air Act defined" (74:36:01:05), and "Significant defined" (section 74:36:01:17).

6. Imbedded in the State's prior definition of "major modification defined" (section 74:36:01:07) was a definition for "physical change or change in the method of operation." The State has deleted the definition of "physical change or change in the method of operation" from the definition of "major modification defined" and added a separate definition for "physical change or change in the method of operation" at section 74:36:01:20.

7. The definition of "major source defined" (section 74:36:01:08) was revised to indicate that controls are considered when determining whether a source is major under section 112 of the Clean Air Act.

8. The definition of "modification defined" (section 74:36:01:10) was revised to delete the references to what is not considered a modification and the references to the permitting required upon modification.

We have reviewed all the revisions identified above in (1) through (8). We believe the revisions are acceptable and are proposing to approve them into the SIP, or are deleting provisions from the SIP as appropriate.

The definitions of PM10 and PM2.5 may appear to contain director discretion provisions;¹ both definitions indicate that pollutants will be "measured by an applicable reference or equivalent method." However, because of other provisions in the State's rules and/or our action on those other provisions, we do not believe the

¹ A director discretion provision would allow the State to revise portions of a SIP without completing a formal SIP revision. Because we believe the SIP can only be revised through a formal SIP revision, we usually do not approve SIPs, or parts of SIPs, that contain director discretion provisions.