

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. 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 action is not a "major rule" as defined by 5 U.S.C. section 804(2). This rule will be effective September 22, 2003 unless EPA receives adverse written comments by August 21, 2003.

(k) 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 September 22, 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 may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2) of the Clean Air Act.)

List of Subjects

40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Reporting and recordkeeping requirements.

40 CFR Part 81

Air pollution control, National parks, Wilderness areas.

Dated: June 23, 2003.

Robert E. Roberts,

Regional Administrator, Region VIII.

■ Parts 52 and 81, title 40, chapter I, of the Code of Federal Regulations are 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 G—Colorado

■ 2. Section 52.320 is amended by adding paragraph (c)(99) to read as follows:

§ 52.320 Identification of plan.

* * * * *

(c) * * *

(99) On August 9, 2002, the Governor of Colorado submitted SIP revisions to Colorado's Regulation No. 11 "Motor Vehicle Emissions Inspection Program" that eliminate the requirement in the SIP for the implementation of a motor vehicle inspection and maintenance program in Larimer County (which includes the Fort Collins area) after January 1, 2004. On August 9, 2002, the Governor also submitted SIP revisions to Colorado's Regulation No. 13 "Oxygenated Fuels Program" that eliminate the oxygenated fuel requirements for Larimer County (which includes the Fort Collins area) after January 1, 2004, and make changes to sections I.D., II.A., II.B., II.C., II.D., II.E., II.F., II.G., and II.H. On August 9, 2002, the Governor also submitted SIP revisions to Colorado's State Implementation Plan Specific Regulations for Nonattainment and Attainment/Maintenance Areas (Local Elements) that eliminate Clean Air Act

COLORADO—CARBON MONOXIDE

section 172(c)(9) carbon monoxide contingency measures for the Fort Collins area. We originally approved these contingency measures on December 23, 1997, and our approval was codified in paragraph (c)(71) of this section.

(i) Incorporation by reference.

(A) Regulation No. 11 "Motor Vehicle Emissions Inspection Program", 5 CCR 1001–13, Part A.I, as adopted on July 18, 2002, and effective September 30, 2002.

(B) Regulation No. 13 "Oxygenated Fuels Program", 5 CCR 1001–16, except for section III, as adopted on July 18, 2002, effective September 30, 2002, which supersedes and replaces all prior versions of Regulation No. 13.

■ 3. Section 52.349 is amended by adding paragraph (h) to read as follows:

§ 52.349 Control strategy: Carbon monoxide.

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(h) Revisions to the Colorado State Implementation Plan, carbon monoxide NAAQS Redesignation Request and Maintenance Plan for Fort Collins entitled "Carbon Monoxide Redesignation Request and Maintenance Plan for the Fort Collins Area," excluding Part I—Chapter 1 and Part I—Chapter 2, as adopted by the Colorado Air Quality Control Commission on July 18, 2002, State effective September 30, 2002, and submitted by the Governor on August 9, 2002.

PART 81—[AMENDED]

■ 1. The authority citation for part 81 continues to read as follows:

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

■ 2. In § 81.306, the table entitled "Colorado-Carbon Monoxide" is amended by revising the entry for "Fort Collins Area" to read as follows:

§ 81.306 Colorado.

* * * * *

Designated area	Designation		Classification	
	Date ¹	Type	Date ¹	Type
* * *				
Fort Collins Area:				
Larimer County (part)	Sept. 22, 2003	Attainment.		
Fort Collins Urban Growth Area Boundary as adopted by the City of Fort Collins and the Larimer County Commissioners and in effect as of July 30, 1991.				
* * *				

¹ This date is November 15, 1990, unless otherwise noted.