

EPA APPROVED ALABAMA NON-REGULATORY PROVISIONS—Continued

Name of nonregulatory SIP provision	Applicable geographic or nonattainment area	State submittal date/effective date	EPA approval date	Explanation
Attainment Demonstration of the 1-hour NAAQS for Ozone for the Birmingham Nonattainment Area.	Birmingham Ozone Non-attainment Area 1.	2/01/00	11/07/01 66 FR 56224	

[FR Doc. 03–2172 Filed 1–31–03; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[MD129/130–3089a; FRL–7437–7]

Approval and Promulgation of Air Quality Implementation Plans; Maryland; Amendments to Volatile Organic Compound Requirements From Specific Processes

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is taking direct final action to approve revisions to the Maryland State Implementation Plan (SIP). The revisions consist of two (2) amendments to Maryland's air pollution control regulations governing specific processes on volatile organic compound (VOC) requirements. The revisions pertain to alternative method of compliance and good operating practices. EPA is fully approving these revisions in accordance with the requirements of the Clean Air Act.

DATES: This rule is effective on April 4, 2003 without further notice, unless EPA receives adverse written comments by March 5, 2003. If EPA receives such comments, it will publish a timely withdrawal of the direct final rule in the **Federal Register** and inform the public that the rule will not take effect.

ADDRESSES: Written comments should be mailed to Walter K. Wilkie, Acting Chief, Air Quality Planning and Information Services Branch, Mailcode 3AP21, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103; the Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 1301 Constitution Avenue, NW., Washington, DC 20460;

and Maryland Department of the Environment, 1800 Washington Blvd., Suite 730, Baltimore, Maryland 21230.

FOR FURTHER INFORMATION CONTACT:

Betty Harris at (215) 814–2168, or by e-mail at harris.betty@epa.gov. Please note that while questions may be posed via telephone and e-mail, formal comments must be submitted in writing, as indicated in the **ADDRESSES** section of this document.

SUPPLEMENTARY INFORMATION:

I. Background

On November 20, 2001 and December 6, 2001, the State of Maryland submitted a formal revision to its State Implementation Plan (SIP). The SIP revision submitted by the Maryland Department of the Environment (MDE) consists of amended volatile organic compound (VOC) requirements to specific processes in the Code of Maryland Administrative Regulations (COMAR 26.11.19).

II. Summary of SIP Revision

A. On November 20, 2001, MDE submitted an amendment to COMAR 26.11.19.02B(2)(d). This amendment provides an alternative method for a source to achieve compliance with VOC requirements. The amendment allows sources that are subject to VOC limits in coatings or inks or other similar products, to reduce emissions by using water-based coatings, resins, inks, or similar products that contain less than twenty-five percent VOC by volume of the volatile portion of the product. This amendment was published in the MDE Register on January 30, 1998, and a public hearing was held on March 4, 1998. The amendment was adopted on April 9, 1998, and became effective on May 4, 1998.

B. On December 6, 2001, MDE submitted COMAR 26.11.19.02I. MDE expanded this rule to include good operating practices, equipment cleanup procedures and VOC storage tank vapor control requirements to reduce VOC emissions from any source presently subject to any VOC emission standard, limitation or requirement. The expanded rule was published in MDE Register on September 21, 2001, and a public hearing was held on October 23, 2001. The rule was adopted on

November 6, 2001 and became effective on December 10, 2001.

III. Final Action

EPA is approving SIP revisions submitted by MDE on November 20, 2001 and December 6, 2001, respectively, the amendments to the VOC requirements [COMAR 26.11.19.02B(2)(d), COMAR 26.11.19.02I] concerning an alternative method of compliance for specific VOC processes; good operating practices, equipment cleanup, and VOC storage. EPA is publishing this rule without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comment. However, in the “Proposed Rules” section of today's **Federal Register**, EPA is publishing a separate document that will serve as the proposal to approve the SIP revision if adverse comments are filed. This rule will be effective on April 4, 2003 without further notice unless EPA receives adverse comment by March 5, 2003. If EPA receives adverse comment, EPA will publish a timely withdrawal in the **Federal Register** informing the public that the rule will not take effect. EPA will address all public comments in a subsequent final rule based on the proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting must do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment.

IV. Regulatory Assessment

A. General Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a “significant regulatory action” and therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, “Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use” (66 FR 28355, May 22, 2001). This action merely approves state law as meeting Federal