

Monday through Friday, 9 to 3:30 excluding Federal holidays.

### *C. How Should I Submit CBI to the Agency?*

Do not submit information that you consider to be CBI electronically to EPA. You may claim information that you submit to EPA as CBI by marking any part or all of that information as CBI (if you submit CBI on disk or CD ROM, mark the outside of the disk or CD ROM as CBI and then identify electronically within the disk or CD ROM the specific information that is CBI). Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

In addition to one complete version of the comment that includes any information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the official public regional rulemaking file. If you submit the copy that does not contain CBI on disk or CD ROM, mark the outside of the disk or CD ROM clearly that it does not contain CBI. Information not marked as CBI will be included in the public file and available for public inspection without prior notice. If you have any questions about CBI or the procedures for claiming CBI, please consult the person identified in the **FOR FURTHER INFORMATION CONTACT** section.

### *D. What Should I Consider as I Prepare My Comments for EPA?*

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.
2. Describe any assumptions that you used.
3. Provide any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at your estimate.
5. Provide specific examples to illustrate your concerns.
6. Offer alternatives.
7. Make sure to submit your comments by the comment period deadline identified.
8. To ensure proper receipt by EPA, identify the appropriate regional file/rulemaking identification number in the subject line on the first page of your response. It would also be helpful if you provided the name, date, and **Federal Register** citation related to your comments.

## **II. Background**

On March 28, 2003, the Forsyth County Environmental Affairs

Department, through the North Carolina Department of Environment and Natural Resources, submitted revisions to the Forsyth county LIP. These revisions include the amending of regulations relating to ozone, indirect heat exchangers, cotton ginning operations, bulk gasoline terminals, gasoline truck tanks and vapor collection systems and activities exempt from permit requirements and other miscellaneous rules within, the Forsyth County LIP. A detailed analysis of each of the major revisions submitted is listed below.

## **III. Analysis of Forsyth County's Submittal**

### *Subchapter 3D—Air Pollution Control Requirements*

#### Section .0500 Emission Control Standards

##### *.0504 Particulates From Wood Burning Indirect Heat Exchangers*

This rule was recodified to reference a new paragraph (f).

##### *.0542 Control of Particulate Emissions From Cotton Ginning Operations*

Added language that allows for establishing control requirements for particulate emissions operations. This applies to all new, existing and modified facilities. Monitoring is required to insure all operating devices are functioning properly. Alternate control measures were established along with recordkeeping guidelines.

#### Section .0900 Volatile Organic Compounds

##### *.0927 Bulk Gasoline Terminals*

This rule was revised to add paragraph (m) stating: The owner or operator of a bulk gasoline terminal shall have on file a copy of the certification test conducted according to Rule .0932 of this Section for each gasoline tank truck loaded at the terminal.

##### *.0932 Gasoline Trucks, Tanks and Vapor Collection Systems*

This rule was added to detail recordkeeping processes for certification test conducted and defining bulk gasoline terminals.

### *Subchapter 3Q*

#### Section .0100 General Provisions

##### *.0102 Activities Exempted From Permit Requirements*

This rule was amended to provide a list of specific activities that are exempt from permit requirements including generators and self-propelled vehicles.

## **IV. Final Action**

EPA is approving the aforementioned changes to the SIP.

The EPA is publishing this rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. However, in the proposed rules section of this **Federal Register** publication, EPA is publishing a separate document that will serve as the proposal to approve the SIP revision should adverse comments be filed. This rule will be effective November 17, 2003 without further notice unless the Agency receives adverse comments by October 16, 2003.

If the EPA receives such comments, then EPA will publish a document withdrawing the final rule and informing the public that the rule will not take effect. All public comments received will then be addressed in a subsequent final rule based on the proposed rule. The EPA will not institute a second comment period. Parties interested in commenting should do so at this time. If no such comments are received, the public is advised that this rule will be effective on November 17, 2003 and no further action will be taken on the proposed rule. 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.

## **V. Statutory and Executive Order Reviews**

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 requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule approves pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it does not contain any unfunded mandate or significantly or uniquely affect small