

consensus on the goals or targets for emissions reductions, timing, accountability, State Implementation Plan implications (including general conformity), and numerous other issues that have been raised for GSE and aircraft emission reductions. If this initiative is successful, an agreement would be reached among all the stakeholders on a national voluntary aviation emissions reduction program. The mechanism that could be used to codify or enforce an eventual agreement has yet to be determined. The overall goal of the EPA/FAA voluntary initiative is to develop a program that will achieve significant national emission reductions.

VII. Regulatory Impacts

Aircraft engines are international commodities, and thus, they are designed to meet international standards. Today's proposal would have the benefit of establishing consistency between U.S. and international emission standards and test procedures. Thus, an emission certification test which meets U.S. requirements would also be applicable to all ICAO requirements. Engine manufacturers are already developing improved technology in response to the ICAO standards that match the standards proposed here, and EPA does not believe that the costs incurred by the aircraft industry as a result of the existing ICAO standards should be attributed to today's proposed regulations (as discussed above, these standards only apply to newly certified or designed engines, but not already certified, newly manufactured or in-production engines). Also, the test procedure amendments (revisions to criteria on calibration and test gases) necessary to determine compliance are already being adhered to by manufacturers during current engine certification tests. Therefore, EPA believes that the proposed regulations would impose no additional burden on manufacturers.

The existence of ICAO's requirements results in minimal cost as well as air quality benefits from today's proposed requirements.¹²⁷ Since aircraft and aircraft engines are international commodities, there is significant

commercial benefit to consistency between U.S. and international emission standards and control program requirements. Also, EPA's proposed adoption of the ICAO standards and related test procedures would be consistent with our treaty obligations and strengthen the U.S. position in future ICAO/CAEP processes related to emission standards.

VIII. Public Participation

We request comment on all aspects of this proposal. This section describes how you can participate in this process.

A. How Do I Submit Comments?

We are opening a formal comment period by publishing this document. We will accept comments during the period indicated under **DATES** above. If you have an interest in the proposed emission control program described in this document, we encourage you to comment on any aspect of this rulemaking. We also request comment on specific topics identified throughout this proposal.

Your comments will be most useful if you include appropriate and detailed supporting rationale, data, and analysis. Commenters are especially encouraged to provide specific suggestions for any changes to any aspect of the regulations that they believe need to be modified or improved. You should send all comments, except those containing proprietary information, to our Air Docket (*see* section I.C under **SUPPLEMENTARY INFORMATION** before the end of the comment period.

If you submit proprietary information for our consideration, you should clearly separate it from other comments by labeling it "Confidential Business Information." You should also send it directly to the contact person listed under **FOR FURTHER INFORMATION CONTACT** instead of to the public docket. This will help ensure that no one inadvertently places proprietary information in the docket. If you want us to use your confidential information as part of the basis for the final rule, you should send a nonconfidential version of the document summarizing the key data or information. We will disclose information covered by a claim of confidentiality only through the application of procedures described in 40 CFR part 2. If you don't identify information as confidential when we receive it, we may make it available to the public without notifying you.

B. Will There Be a Public Hearing?

We will hold a public hearing on November 13, 2003 at the Environmental Protection Agency, EPA

East Building, Room Number 1153, 1201 Constitution Avenue, NW., Washington, DC 20004, Telephone: (202) 564-1682. The hearing will start at 10 a.m. local time and continue until everyone has had a chance to speak.

If you would like to present testimony at the public hearing, we ask that you notify the contact person listed under **FOR FURTHER INFORMATION CONTACT** at least ten days before the hearing. You should estimate the time you will need for your presentation and identify any needed audio/visual equipment. We suggest that you bring copies of your statement or other material for the EPA panel and the audience. It would also be helpful if you send us a copy of your statement or other materials before the hearing.

We will make a tentative schedule for the order of testimony based on the notifications we receive. This schedule will be available on the morning of the hearing. In addition, we will reserve a block of time for anyone else in the audience who wants to give testimony.

We will conduct the hearing informally, and technical rules of evidence won't apply. We will arrange for a written transcript of the hearing and keep the official record of the hearing open for 30 days to allow you to submit supplementary information. You may make arrangements for copies of the transcript directly with the court reporter.

IX. Statutory Authority

The statutory authority for today's proposal is provided by sections 231 and 301(a) of the Clean Air Act, as amended, 42 U.S.C. 7571 and 7601. *See* section III of today's NPRM for discussion of how EPA meets the CAA's statutory requirements.

X. Statutory and Executive Order Reviews

A. Executive Order 12866: Regulatory Planning and Review

Under Executive Order 12866 (58 FR 51735, October 4, 1993), the Agency must determine whether this regulatory action is "significant" and therefore subject to Office of Management and Budget (OMB) review and the requirements of the Executive Order. The order defines "significant regulatory action" as one that is likely to result in a rule that may:

(1) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;

¹²⁷ CAEP's Forecasting and Economic Analysis Support Group (FESG) concluded at CAEP/4 that their assessment of these new NO_x standards indicates that the direct costs of the standards would be minimal, and the benefits would be modest. (ICAO, CAEP/4, Working Paper 4, "Economic Assessment of the EPG NO_x Stringency Proposal," March 12, 1998, Presented by the Chairman of FESG, Agenda Item 1: Review of proposals relating to NO_x emissions, including the amendment of Annex 16, Volume II. A copy of this paper can be found in Docket OAR-2002-0030.