

statutes will not preclude the Commonwealth from enforcing its program consistent with the Federal requirements. In any event, because EPA has also determined that a state audit privilege and immunity law can affect only state enforcement and cannot have any impact on Federal enforcement authorities, EPA may at any time invoke its authority under the Clean Air Act, including, for example, sections 113, 167, 205, 211 or 213, to enforce the requirements or prohibitions of the state plan, independently of any state enforcement effort. In addition, citizen enforcement under section 304 of the Clean Air Act is likewise

unaffected by this, or any, state audit privilege or immunity law.

#### IV. Corrections to the Chart in 40 CFR 52.2020(c) Summarizing the Approved SIP Rules

On April 21, 2000 (65 FR 21513), EPA approved the revised incorporation by reference format for 40 CFR part 52, subpart VV, § 52.2420(c). This chart lists those Virginia regulations which EPA has incorporated by reference into the Virginia SIP as well as their effective dates in the Commonwealth. After review of the chart as published in the April 21, 2000 **Federal Register**, the Virginia Department of Environmental Quality informed EPA that the chart as

published contained typographical errors, omissions, and inaccurate information. On July 6, 2000 (65 FR 41592) and July 14, 2000 (65 FR 43840), correction notices were published which corrected some, but not all, of the incorrect entries. This action corrects the remaining inaccurate entries to the chart in § 52.2420(c). These corrections revise information to air quality provisions which are not otherwise revised by the other SIP revisions being evaluated by EPA in this action. The information consists of corrected titles of the air quality regulations, corrected VAC citations, and corrected effective dates of some provisions, and are summarized below:

Federal Register page (65 FR)	Entry	Column title	Description of correction
21321 .....	Chapter 20 General Provisions (Title)		Add "[Part II]" after "Chapter 20 General Provisions".
	5-20-160 .....	State Effective Date .....	Remove the date "7/1/97".
	5-20-170 .....	State Effective Date .....	Remove the date "7/1/97".
	5-20-180 .....	State Effective Date .....	Remove the date "7/1/97".
21322 .....	5-20-205 .....	State Effective Date .....	Replace "2/1/97" with "1/1/97".
21323 .....	5-40-50 .....	State Effective Date .....	Replace "7/1/97" with "4/17/95".
	5-40-310A.-E. ....	Title/Subject .....	Replace "Dioxide" with "Oxides".
21324 .....	4-40-450 .....	State citation (9 VAC 5) .....	Replace "4-40-450" with "5-40-450".
	5-40-710 .....	Explanation [Former SIP Citation]	Replace "120-04-614." with "120-04-0614.".
	5-40-720 .....	Explanation [Former SIP Citation]	Replace "120-04-0613." with "120-04-0615.".
21340 .....	5-80-10/Article 6 .....	State citation (9 VAC 5) .....	Remove "Article 6".
21342 .....	Article 9 Permits—Major Stationary Sources and Major Modifications Located in Nonattainment Areas (Title)		Add "[ ]" around "120-08-03".
	5-80-2000 .....	Explanation [Former SIP Citation]	Replace ".03A." with ".03A".
	5-80-2080 .....	Explanation [Former SIP Citation]	Replace ".03I." with ".03I".
21343 .....	5-9-150 .....	State citation (9 VAC 5) .....	Replace "5-9-150" with "5-91-150".
21344 .....	4-91-450 .....	State citation (9 VAC 5) .....	Replace "4-91-450" with "5-91-450".
	4-91-460 .....	State citation (9 VAC 5) .....	Replace "4-91-460" with "5-91-460".
21346 .....	Chapter 160 General Conformity Rules (Title).	State Effective Date .....	Remove "1/24/97".

Similarly, on October 19, 2000 (65 FR 62626), EPA approved a revision to 9 VAC 5 Chapter 30 (Ambient Air Quality Standards). This revision removed section 9 VAC 5-30-20, the old ambient air quality standards for total suspended particulate matter (TSP) from the Virginia SIP. The intent of this action was to remove the entry for section 9 VAC 5-30-20 from the chart in 40 CFR 52.2420(c). This action will remove section 9 VAC 5-30-20 from the chart.

#### V. Final Action

EPA is approving the addition of 9 VAC 5, Chapter 170, as well as the revisions to 9 VAC 5 Chapters 10, 20, and 160 and 2 VAC 5, Chapter 480 as revisions to the Virginia SIP. EPA is also correcting the typographical errors, omissions and incorrect information found in the chart of previously-approved SIP actions found at 40 CFR 52.2420(c).

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 March 10, 2003 without further notice unless EPA receives adverse comment by February 6, 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.

#### VI. Administrative Requirements

##### 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 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