

This determination of nonattainment, SIP approval and disapproval will not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999), because the actions do not, in and of themselves, impose any new requirements on any sectors of the economy, and do not alter the relationship or the distribution of power and responsibilities established in the CAA. Thus, the requirements of section 6 of the Executive Order do not apply to these actions.

#### *H. National Technology Transfer and Advancement Act*

Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), Public Law 104-113, section 12(d) (15 U.S.C. 272 note) directs EPA to use voluntary consensus standards in its regulatory activities unless to do so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., materials specifications, test methods, sampling procedures, and business practices) that are developed or adopted by voluntary consensus standards bodies. The NTTAA directs EPA to provide Congress, through OMB, explanations when the Agency decides not to use available and applicable voluntary consensus standards.

Today's actions do not involve technical standards and do not require the public to perform activities conducive to the use of voluntary consensus standards.

#### *I. Submission to Congress and Comptroller General*

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by 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 United States Senate, the United States 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 rule is not a "major rule" as defined by 5 U.S.C. 804(2).

#### *J. Petitions for Judicial Review*

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by November 19, 2001. 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 CAA section 307(b)(2).

#### **List of Subjects in 40 CFR Part 52**

Environmental protection, Air pollution control, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Nitrogen oxides, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: August 28, 2001.

**Christine Todd Whitman,**  
*Administrator.*

Part 52, chapter I, title 40 of the Code of Federal Regulations is 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 F—California**

2. Section 52.220 is amended by adding paragraph (c)(283) to read as follows:

##### **§ 52.220 Identification of plan.**

\* \* \* \* \*

(c) \* \* \*

(283) San Francisco Bay Area Ozone Attainment Plan for the 1-Hour National Ozone Standard, June 1999, was submitted on August 13, 1999 by the Governor's designee.

(i) Incorporation by reference.

(A) Bay Area Air Quality Management District.

(1) Tables 10 and 12 of the San Francisco Bay Area Ozone Attainment Plan for the 1-Hour National Ozone Standard, June 1999, which detail the commitment to adopt and implement any combination of new control measures to achieve 11 ton per day reduction in VOC emissions by June 2000.

(2) Contingency measures, Table 18, "Post-Attainment Year (2000–2003) Inventory Reductions Reflected in the SIP".

2. Section 52.223 is amended by adding paragraph (e) to read as follows:

##### **§ 52.223 Approval status.**

\* \* \* \* \*

(e) The Administrator approves the following portions of the 1999 Ozone Attainment Plan for the San Francisco Bay Area submitted by the California Air Resources Board on August 13, 1999: the 1995 baseline emissions inventory, the reasonable further progress demonstration, and the deletion of transportation control measures #6 and #16.

3. Section 52.237 is amended by adding paragraph (a)(6) to read as follows:

##### **§ 52.237 Part D disapproval.**

(a) \* \* \*

(6) The attainment assessment, motor vehicle emissions budgets, and Reasonably Available Control Measure (RACT) portions of the San Francisco Bay Area Ozone Attainment Plan for the 1-Hour National Ozone Standard, June 1999.

[FR Doc. 01-22125 Filed 9-19-01; 8:45 am]

**BILLING CODE 6560-50-P**

## **ENVIRONMENTAL PROTECTION AGENCY**

### **40 CFR Part 52**

**[PA-4121a; FRL-7059-5]**

### **Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; NO<sub>x</sub> RACT Determinations for the Latrobe Steel Company in the Pittsburgh-Beaver Valley Area; Withdrawal of Direct Final Rule**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Withdrawal of direct final rule.

**SUMMARY:** Due to receipt of a letter of adverse comment, EPA is withdrawing the direct final rule to approve a revision to establish reasonably available control technology (RACT) requirements for the Latrobe Steel Company, a major source of nitrogen oxides (NO<sub>x</sub>) located in the Pittsburgh-Beaver Valley ozone nonattainment area. In the direct final rule published on August 10, 2001 (66 FR 42123), EPA stated that if it received adverse comment by September 10, 2001, the rule would be withdrawn and not take effect. EPA subsequently received adverse comments from the Citizens for Pennsylvania's Future (PennFuture). EPA will address the comments received in a subsequent final action

based upon the proposed action also published on August 10, 2001 (66 FR 42172). EPA will not institute a second comment period on this action.

**EFFECTIVE DATE:** The direct final rule is withdrawn as of September 20, 2001.

**FOR FURTHER INFORMATION CONTACT:** Harold A. Frankford at (215) 814-2108.

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements.

Dated: September 14, 2001.

**James W. Newson,**

*Acting Regional Administrator, Region III.*

Accordingly, the addition of § 52.2020(c)(158) is withdrawn as of September 20, 2001.

[FR Doc. 01-23484 Filed 9-19-01; 8:45 am]

**BILLING CODE 6560-50-P**

### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 52

[PA-4130a; FRL-7060-1]

#### Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; VOC and NO<sub>x</sub> RACT Determinations for Four Individual Sources Located in the Pittsburgh-Beaver Valley Area; Withdrawal of Direct Final Rule

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Withdrawal of direct final rule.

**SUMMARY:** Due to receipt of a letter of adverse comment, EPA is withdrawing the direct final rule to approve revisions which establish reasonably available control technology (RACT) requirements for four major sources of volatile organic compounds (VOC) and nitrogen oxides (NO<sub>x</sub>) located in the Pittsburgh-Beaver Valley ozone nonattainment area. In the direct final rule published on August 10, 2001 (66 FR 42136), EPA stated that if it received adverse comment by September 10, 2001, the rule would be withdrawn and not take effect. EPA subsequently received adverse comments from the Citizens for Pennsylvania's Future (PennFuture). EPA will address the comments received in a subsequent final action based upon the proposed action also published on August 10, 2001 (66 FR 42187). EPA will not institute a second comment period on this action.

**EFFECTIVE DATE:** The direct final rule is withdrawn as of September 20, 2001.

**FOR FURTHER INFORMATION CONTACT:** Harold A. Frankford at (215) 814-2108.

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Incorporation by reference, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements.

Dated: September 14, 2001.

**James W. Newson,**

*Acting Regional Administrator, Region III.*

Accordingly, the addition of § 52.2020(c)(166) is withdrawn as of September 20, 2001.

[FR Doc. 01-23493 Filed 9-19-01; 8:45 am]

**BILLING CODE 6560-50-P**

### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 52

[PA-4125a; FRL-7059-9]

#### Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; VOC RACT Determinations for Three Individual Sources Located in the Pittsburgh-Beaver Valley Area; Withdrawal of Direct Final Rule

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Withdrawal of direct final rule.

**SUMMARY:** Due to receipt of a letter of adverse comment, EPA is withdrawing the direct final rule to approve revisions which establish reasonably available control technology (RACT) requirements for three major sources of volatile organic compounds (VOC) located in the Pittsburgh-Beaver Valley ozone nonattainment area. In the direct final rule published on August 10, 2001 (66 FR 42133), EPA stated that if it received adverse comment by September 10, 2001, the rule would be withdrawn and not take effect. EPA subsequently received adverse comments from the Citizens for Pennsylvania's Future (PennFuture). EPA will address the comments received in a subsequent final action based upon the proposed action also published on August 10, 2001 (66 FR 42186). EPA will not institute a second comment period on this action.

**EFFECTIVE DATE:** The direct final rule is withdrawn as of September 20, 2001.

**FOR FURTHER INFORMATION CONTACT:** Harold A. Frankford at (215) 814-2108.

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons,

Incorporation by reference, Ozone, Reporting and recordkeeping requirements.

Dated: September 14, 2001.

**James W. Newson,**

*Acting Regional Administrator, Region III.*

Accordingly, the addition of § 52.2020(c)(162) is withdrawn as of September 20, 2001.

[FR Doc. 01-23492 Filed 9-19-01; 8:45 am]

**BILLING CODE 6560-50-P**

### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 52

[PA-101/178-4124a; FRL-7059-8]

#### Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; VOC and NO<sub>x</sub> RACT Determinations for Five Individual Sources Located in the Pittsburgh-Beaver Valley Area; Withdrawal of Direct Final Rule

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Withdrawal of direct final rule.

**SUMMARY:** Due to receipt of a letter of adverse comment, EPA is withdrawing the direct final rule approving revisions which establish reasonably available control technology (RACT) requirements for five major sources of volatile organic compounds (VOC) and oxides of nitrogen (NO<sub>x</sub>) located in the Pittsburgh-Beaver Valley ozone nonattainment area. In the direct final rule published on August 10, 2001 (66 FR 42128), EPA stated that if it received adverse comment by September 10, 2001, the rule would be withdrawn and not take effect. EPA subsequently received adverse comments from the Citizens for Pennsylvania's Future (PennFuture). EPA will address the comments received in a subsequent final action based upon the proposed action also published on August 10, 2001 (66 FR 42186). EPA will not institute a second comment period on this action.

**EFFECTIVE DATE:** The direct final rule is withdrawn as of September 20, 2001.

**FOR FURTHER INFORMATION CONTACT:** Harold A. Frankford at (215) 814-2108.

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements.