

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this action may be changed in light of the comments received.

Submit comments using the following format:

- Organize comments issue-by-issue. For example, discuss a request to change the compliance time and a request to change the service bulletin reference as two separate issues.
- For each issue, state what specific change to the proposed AD is being requested.
- Include justification (e.g., reasons or data) for each request.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this action must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 99-NM-90-AD." The postcard will be date stamped and returned to the commenter.

Events Leading to This Extension of the Comment Period

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to certain McDonnell Douglas Model DC-9 airplanes and Model MD-88 airplanes was published as a second supplemental notice of proposed rulemaking (NPRM) in the **Federal Register** on July 1, 2002 (67 FR 44119). The second supplemental NPRM proposed to require replacement of certain power relays, and subsequent repetitive cleaning, inspecting, repairing, and testing of certain replaced power relays.

The FAA has received a request from the National Transportation Safety

Board (NTSB) to extend the comment period of the second supplemental NPRM by three weeks to allow additional time to prepare comments. The FAA has considered this request and finds it appropriate to extend the comment period to give all interested persons more time to examine the proposed requirements of the second supplemental NPRM and to submit comments. In light of the fact that some of the additional time requested to prepare comments has passed, we have determined that extending the comment period by 7 days after date of publication in the **Federal Register** is appropriate, and that such an extension will not compromise the safety of these airplanes.

The Extension

The comment period for Docket No. 99-NM-90-AD is hereby extended to August 26, 2002.

Since no portion of the second supplemental NPRM or other regulatory information has been changed, that entire NPRM is not being republished.

Issued in Renton, Washington, on August 12, 2002.

Ali Bahrami,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Parts 148, 149, and 150

[USCG-1998-3884]

RIN 2115-AF63

Deepwater Ports; Reopening of Comment Period

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking; reopening of comment period.

SUMMARY: In response to public requests, the Coast Guard is reopening the comment period on its notice of proposed rulemaking on deepwater ports published in the **Federal Register** on May 30, 2002, (67 FR 37920). Reopening the comment period gives the public more time to submit comments and recommendations on the issues raised in the proposed rule. This rulemaking is necessary to update the regulations with current technology and industry standards. It will also align them with certain regulations for other fixed offshore facilities.

DATES: Comments on the proposed rule and related material must reach the Docket Management Facility on or before September 18, 2002. Comments sent to the Office of Management and Budget (OMB) on collection of information must reach OMB on or before September 18, 2002.

ADDRESSES: To make sure that your comments and related material are not entered more than once in the docket, please submit them by only one of the following means:

(1) By mail to the Docket Management Facility (USCG-1998-3884), U.S. Department of Transportation, room PL-401, 400 Seventh Street SW., Washington, DC 20590-0001.

(2) By delivery to room PL-401 on the Plaza level of the Nassif Building, 400 Seventh Street SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202-366-9329.

(3) By fax to the Docket Management Facility at 202-493-2251.

(4) Electronically through the Web site for the Docket Management System at <http://dms.dot.gov>.

You must also mail comments on collection of information to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street NW., Washington, DC 20503, ATTN: Desk Officer, U.S. Coast Guard.

The Docket Management Facility maintains the public docket for the rulemaking. Comments and material received from the public, as well as documents mentioned in the preamble to the proposed rule as being available in the docket, will become part of this docket and will be available for inspection or copying at room PL-401, located on the Plaza level of the Nassif Building, 400 Seventh Street SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also find this docket on the Internet at <http://dms.dot.gov>.

FOR FURTHER INFORMATION CONTACT: If you have questions on this proposed rule, call Commander Mark Prescott, Vessel and Facility Operating Standards Division (G-MSO-2), Coast Guard, telephone 202-267-0225. If you have questions on viewing or submitting material to the docket, call Dorothy Beard, Chief, Dockets, Department of Transportation, telephone 202-366-5149.

SUPPLEMENTARY INFORMATION:

Request for Comments

We encourage you to participate in the rulemaking by submitting comments

and related material. If you do so, please include your name and address, identify the docket number for the rulemaking (USCG-1998-3884), indicate the specific section of the proposed rule to which each comment applies, and give the reason for each comment. You may submit your comments and material by mail, hand delivery, fax, or electronic means to the Docket Management Facility at the address under **ADDRESSES**; but please submit your comments and material by only one means. If you submit them by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit them by mail and would like to know that they reached the Facility, please enclose a stamped, self-addressed postcard or envelope.

We will consider all comments received during the comment period. We may change the proposed rule in view of them.

Dated: August 12, 2002.

Joseph J. Angelo,

Director of Standards, Marine Safety, Security and Environmental Protection.

[FR Doc. 02-20952 Filed 8-16-02; 8:45 am]

BILLING CODE 4910-15-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[SIP NO. MT-001-0043; FRL-7261-4]

Approval and Promulgation of Air Quality Implementation Plans for the State of Montana; Revision to the Administrative Rules of Montana

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve a State Implementation Plan (SIP) revision submitted by the Governor of Montana on April 30, 2001. The April 30, 2001 submittal revises the State's Administrative Rules of Montana (ARM) by adding a Credible Evidence Rule. The intended effect of this action is to make the Credible Evidence Rule Federally enforceable. Finally, the Governor's April 30, 2001 submittal contains other SIP revisions which will be addressed separately. This action is being taken under section 110 of the Clean Air Act (CAA).

DATES: Written comments must be received on or before September 18, 2002.

ADDRESSES: Written comments may be mailed to Richard R. Long, Director, Air

and Radiation Program, Mailcode 8P-AR, Environmental Protection Agency (EPA), Region 8, 999 18th Street, Suite 300, Denver, Colorado, 80202. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air and Radiation Program, Environmental Protection Agency, Region 8, 999 18th Street, Suite 300, Denver, Colorado, 80202. Copies of the State documents relevant to this action are available for public inspection at the Montana Department of Environmental Quality, Air and Waste Management Bureau, 1520 E. 6th Avenue, Helena, Montana 59620.

FOR FURTHER INFORMATION CONTACT: Laurel Dygowski, EPA, Region 8, (303) 312-6144.

SUPPLEMENTARY INFORMATION: Throughout this document wherever "we" or "our" is used means EPA.

I. Analysis of the State Submittal

A. Procedural Background

The Act requires States to observe certain procedural requirements in developing implementation plans and plan revisions for submission to EPA. Section 110(a)(2) of the Act provides that each implementation plan admitted by a State must be adopted after reasonable notice and public hearing. Section 110(1) of the Act similarly provides that each revision to an implementation plan submitted by a State under the Act must be adopted by such State after reasonable notice and public hearing.

EPA also must determine whether a submittal is complete and therefore warrants further EPA review and action (see section 110(k)(1) and 57 FR 13565). EPA's completeness criteria are set out at 40 CFR part 51, appendix V. EPA attempts to make completeness determinations within 60 days of receiving a submission. However, a submittal is deemed complete by operation of law if a completeness determination is not made by EPA six months after receipt of submission.

To entertain public comment, the State of Montana, after providing adequate public notice, held several public hearings to address the revisions to the SIP. Following the public hearings and public comment period, the Montana Board of Environmental Review adopted the revisions. Revisions to ARM 17.8.132 were adopted on November 17, 2000.

The Governor of Montana submitted the revisions to the SIP with a letter dated April 30, 2001. The SIP revisions were reviewed by EPA to determine completeness in accordance with the

completeness criteria set out at 40 CFR part 51, appendix V. In a June 29, 2001 letter, the EPA informed the State that the submittal was found to be complete.

B. Summary of SIP Revisions

ARM 17.8.132—Credible Evidence

Montana has adopted a credible evidence rule (ARM 17.8.132) to comply with the EPA's final rule concerning credible evidence. On February 24, 1997, EPA promulgated regulations under section 113(a) and 113(e)(1) of the CAA that gave EPA authority to use all available data to prove CAA violations (see 62 FR 8314-8328). The final rule requires states to include provisions in their SIPs to allow for the use of credible evidence for the purposes of submitting compliance certifications and for establishing whether or not a person has violated a standard in a SIP.

In accordance with section 110(k)(5) of the CAAA SIP Call was issued to the State of Montana on July 7, 1994 which was later superceded by another SIP Call on October 20, 1999. In a letter from William P. Yellowtail, EPA Regional Administrator, to Marc Racicot, Governor of Montana, EPA notified the State of Montana that their SIP was inadequate to comply with sections 110(a)(2)(A) and (C) of the CAA because the SIP could be interpreted to limit the types of credible evidence or information that may be used for determining compliance and establishing violations. In response to the SIP Call, the State of Montana adopted and submitted a new credible evidence rule, ARM 17.8.132. EPA believes the State's new credible evidence rule meets the requirements of 40 CFR 51.212(c) and is proposing approval of it into the SIP.

Section 110(l) of the Clean Air Act states that a SIP revision cannot be approved if the revision would interfere with any applicable requirement concerning attainment and reasonable further progress towards attainment of the NAAQS or any other applicable requirements of the Act. The Montana SIP revisions that are the subject of this document do not interfere with the maintenance of the NAAQS or any other applicable requirement of the Act because the State of Montana's new credible evidence rule meets the federal requirements in 40 CFR 51.212(c) and this rule will enhance the State's efforts in implementing the Clean Air Act. Therefore, section 110(l) requirements are satisfied.

II. Proposed Action

EPA is proposing to approve Montana's Credible Evidence Rule