(A) Rules OAC 3745–18–03(A)(2)(d); OAC 3745–18–03(B)(4); OAC 3745–18–03(B)(8); OAC 3745–18–03(C)(6); OAC 3745–18–03(C)(10); 3745–18–04(D)(8); 3745–18–04(D)(9); OAC 3745–18–04(E)(7); OAC 3745–18–04(F); OAC 3745–18–15; OAC 3745–18–71. Adopted March 1, 2000, effective March 21, 2000.

(B) Rule OAC 3745–18–49(F), effective May 11, 1987.

* * * * *

3. Section 52.1881 is amended by revising paragraphs (a)(4), (a)(8), and removing and reserving paragraphs (b)(12), (b)(14), (b)(17), (b)18), and (b)(20) to read as follows:

§ 52.1881 Control strategy: Sulfur oxides (sulfur dioxide).

(a) * * *

(4) Approval—EPA approves the sulfur dioxide emission limits for the following counties: Adams County (except Dayton Power & Light-Stuart), Allen County (except Cairo Chemical), Ashland County, Ashtabula County, Athens County, Auglaize County, Belmont County, Brown County, Butler County, Carroll County, Champaign County, Clark County, Clermont County, (except Cincinnati Gas & Electric-Beckjord), Clinton County, Columbiana County, Coshocton County, Crawford County, Darke County, Defiance County, Delaware County, Erie County, Fairfield County, Fayette County, Fulton County, Gallia County, Geauga County, Greene County, Guernsey County, Hamilton County, Hancock County, Hardin County, Harrison County, Henry County, Highland County, Hocking County, Holmes County, Huron County, Jackson County, Jefferson County, Knox County, Lake County, Lawrence County (except Allied Chemical-South Point), Licking County, Logan County, Lorain County, Lucas County (except Gulf Oil Company, Coulton Chemical Company, and Phillips Chemical Company), Madison County, Marion County, Medina County, Meigs County, Mercer County, Miami County, Monroe County, Montgomery County (except Bergstrom Paper, Miami Paper), Morgan County, Morrow County, Muskingum County, Noble County, Ottawa County, Paulding County, Perry County, Pickaway County, Pike County (except Portsmouth Gaseous Diffusion Plant), Portage County, Preble County, Putnam County, Richland County, Ross County (except Mead Corporation), Sandusky County (except Martin Marietta Chemicals), Scioto County, Seneca County, Shelby County, Trumbull County, Tuscarawas County, Union County, Van Wert County, Vinton County, Warren County, Washington County (except Shell Chemical), Wayne County, Williams County, Wood County (except Libbey-Owens-Ford Plants Nos. 4 and 8 and No. 6), and Wyandot County.

* * * * *

(8) No Action—EPA is neither approving nor disapproving the emission limitations for the following counties/sources pending further review: Adams County (Dayton Power & Light-Stuart), Allen County (Cairo Chemical), Clermont County (Cincinnati Gas & Electric-Beckjord), Cuyahoga County, Franklin County, Lawrence County (Allied Chemical-South Point), Lucas County (Gulf Oil Company, Coulton Chemical Company, and Phillips Chemical Company), Mahoning County, Montgomery County (Bergstrom Paper and Miami Paper), Pike County (Portsmouth Gaseous Diffusion Plant), Ross County (Mead corporation), Sandusky County (Martin Marietta Chemicals), Stark County, Washington County (Shell Chemical Company), and Wood County (Libbey-Owens-Ford Plants Nos. 4 and 8 and No. 6).

* * * * *

[FR Doc. 02–2379 Filed 1–30–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 70

[DC–T5–2001a; FRL–7136–3]

Clean Air Act Full Approval of Operating Permit Program; District of Columbia; Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule; correcting amendment.

SUMMARY: This document corrects an error in the preamble language of a final rule pertaining to the full approval of the District of Columbia's title V operating permit program. EPA is hereby correcting a statement in the preamble to the final rule concerning its proposed interpretation of the term ''modifications'' under Title I of the Clean Air Act.

EFFECTIVE DATE: This correction is effective January 31, 2002.

FOR FURTHER INFORMATION CONTACT: Paresh R. Pandya, U.S. Environmental Protection Agency, Region III (3AP11), 1650 Arch Street, Philadelphia, PA 19103 at (215) 814–2167 or by e-mail at pandya.perry@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: Effective November 30, 2001, EPA promulgated a final rule granting full approval to the District of Columbia's title V operating permit program submitted to EPA under the Clean Air Act Amendments of 1990 and implementing regulations at 40 CFR part 70. The final rule was published in the **Federal Register** on December 4, 2001 (66 FR 62954), and the proposed rule was published in the **Federal Register** on October 16, 2001 (66 FR 52561). EPA is hereby correcting a statement in the preamble to the final rule concerning EPA's most recent proposed interpretation of the term modifications under Title I of the Clean Air Act. The correction merely provides an accurate reference to EPA's most recent proposed interpretation of the term and neither the correction nor the initial statement is intended to have any effect on the Agency's final position on the December 4, 2001 rulemaking action.

In the preamble to the final rule, EPA responded to an adverse comment on the Proposed Rule which asserted that EPA could not grant the District's title V operating permit program full approval because the program excludes changes reviewed under minor new source review from the definition of Title I modifications. EPA included the following statement in the response: ''Although EPA believes that the better interpretation of 'Title I modifications'' is to include changes reviewed under a minor source preconstruction review program, EPA does not believe it is appropriate to require the District to change the definition until EPA completes its rulemaking on this provision.'' The ''interpretation of 'Title I modifications' '' referred to in this statement is the one included in EPA's proposed interim approval of the District's title V operating permit program, which was published in the **Federal Register** on March 21, 1995 (60 FR 14921, 14922). The March 21, 1995 notice in turn reflected the proposed interpretation of ''Title I modification'' contained in EPA's proposed revisions to 40 CFR part 70 that were published in the **Federal Register** on August 29, 1994 (59 FR 44460, 44463). However, EPA revised its proposed interpretation of ''Title I modifications'' in the preamble to proposed revisions to 40 CFR parts 70 and 71 that were published in the **Federal Register** on August 31, 1995 to exclude modifications under the minor new source review program in section 110(a)(2)(C) of the Clean Air Act. *See* 60 FR 45530, 45545–45546 (explaining the rationale for the revised proposed interpretation). The December 4, 2001 response to the adverse comment on

''Title I modifications'' therefore did not accurately reflect EPA's current proposed interpretation of this term. Thus, the first part of the statement quoted above should not have been included. This action corrects the erroneous language in the preamble.

Correction

In rule document No. 01–29967, beginning on page 62954, in the issue of December 4, 2001, make the following correction:

On page 62956, third column, remove the last paragraph beginning with ''*Response:*'' and on page 62957, first column, remove the first two paragraphs, and replace them with the following text:

''*Response:* EPA, in its proposed interim approval, indicated that a revision of the 20 DCMR 399.1 Definition of Title I Modification or modification under any provision of Title I of the Act to include changes reviewed under minor new source review would be required only if EPA established such a definition through rulemaking. Because EPA has not issued any final rule specifying that the definition of a 'Title I modification' must include changes subject to minor new source review, the District's current regulations remain consistent with 40 CFR part 70. EPA does not believe it is appropriate to require the District to revise the definition until such time as EPA completes its rulemaking on this provision in a manner that requires a revision in the District's rules.

Should EPA revise this definition in the future, the District will be required to revise its regulations as appropriate. As stated in EPA's proposed interim approval published on March 21, 1995 (60 FR 14921, 14922), EPA did not identify the District's definition of 'Title I modification or modification under any provision of Title I of the Act' as necessary grounds for either interim approval or disapproval. Accordingly, EPA has not identified the District's definition of this term to be a program deficiency.''

Section 553 of the Administrative Procedure Act, 5 U.S.C. 553(b)(B), provides that, when an agency for good cause finds that notice and public procedure are impracticable, unnecessary or contrary to the public interest, the agency may issue a rule without providing notice and an opportunity for public comment. We have determined that there is good cause for making today's rule final without prior proposal and opportunity for comment because we are merely correcting an incorrect citation in a previous action. Thus, notice and public procedure are unnecessary. We find that this constitutes good cause under 5 U.S.C. 553(b)(B).

Administrative Requirements

Under Executive Order (E.O.) 12866 (58 FR 51735, October 4, 1993), this action is not a ''significant regulatory action'' and is therefore 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)). Because the agency has made a ''good cause'' finding that this action is not subject to notice-and-comment requirements under the Administrative Procedures Act or any other statute as indicated in the Supplementary Information section above, it is not subject to the regulatory flexibility provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), or to sections 202 and 205 of the Unfunded Mandates Reform Act of 1995 (UMRA) (Pub. L. 104–4). In addition, this action does not significantly or uniquely affect small governments or impose a significant intergovernmental mandate, as described in sections 203 and 204 of UMRA. This rule also does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), nor will it 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 governments, as specified by Executive Order 13132 (64 FR 43255, August 10, 1999). This rule also is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it is not economically significant.

This technical correction action does not involve technical standards; thus the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. The rule also does not involve special consideration of environmental justice related issues as required by Executive Order 12898 (59 FR 7629, February 16, 1994). In issuing this rule, EPA has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct, as required by section 3 of Executive Order 12988 (61 FR 4729, February 7, 1996). EPA has complied with Executive Order 12630 (53 FR 8859, March 15, 1998) by examining the takings implications of the rule in accordance with the ''Attorney General's Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings'' issued under the executive order. This rule does not impose an information collection burden under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq*).

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. Section 808 allows the issuing agency to make a rule effective sooner than otherwise provided by the CRA if the agency makes a good cause finding that notice and public procedure is impracticable, unnecessary or contrary to the public interest. This determination must be supported by a brief statement. 5 U.S.C. 808(2). As stated previously, EPA had made such a good cause finding, including the reasons therefore, and established an effective date of November 30, 2001. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This correction to Rule Document No. 01–29967 for the District of Columbia is not a ''major rule'' as defined by 5 U.S.C. 804(2).

Dated: January 24, 2002.

Thomas C. Voltaggio,

Acting Regional Administrator, EPA Region III.

[FR Doc. 02–2377 Filed 1–30–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 80

Regulation of Fuels and Fuel Additives

CFR Correction

In Title 40 of the Code of Federal Regulations, Parts 72 to 80, revised as of July 1, 2001, on page 705, § 80.101 is corrected by removing the second paragraph (f)(4).

[FR Doc. 02–55501 Filed 1–30–02; 8:45 am]

BILLING CODE 1505–01–D