

in paragraph (a)(1)(x) of this section for the regulated NSR pollutant.

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3. Section 51.166 is amended by revising paragraph (r)(6) introductory text and adding paragraph (r)(6)(vi) to read as follows:

§ 51.166 Prevention of significant deterioration of air quality.

(r) * * *

(6) Each plan shall provide that the following specific provisions apply on a pollutant-by-pollutant basis with respect to any regulated NSR pollutant associated with projects at existing emissions units at a major stationary source (other than projects at a source with a PAL) in circumstances where there is a reasonable possibility, within the meaning of paragraph (r)(6)(vi) of this section, that a project that is not a part of a major modification may result in a significant emissions increase of such pollutant, and the owner or operator elects to use the method specified in paragraphs (b)(40)(ii)(a) through (c) of this section for calculating projected actual emissions. Deviations from these provisions will be approved only if the State specifically demonstrates that the submitted provisions are more stringent than or at least as stringent in all respects as the corresponding provisions in paragraphs (r)(6)(i) through (vi) of this section.

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(vi) A “reasonable possibility” under paragraph (r)(6) of this section occurs when the owner or operator calculates the project to result in projected actual emissions increases of at least 50 percent of the significant level defined in paragraph (b)(23)(i) of this section for the regulated NSR pollutant.

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4. Appendix S to Part 51 is amended by revising paragraph IV.J introductory text and adding paragraph IV.J.6 to read as follows:

Appendix S to Part 51—Emission Offset Interpretative Ruling.

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IV. * * *

J. *Provisions for projected actual emissions.* The provisions of this paragraph IV.J apply on a pollutant-by-pollutant basis with respect to any regulated NSR pollutant associated with projects at existing emissions units at a major stationary source (other than projects at a source with a PAL) in circumstances where there is a reasonable possibility, within the meaning of paragraph IV.J.6 of this Ruling, that a project that is not a part of a major modification may result in a significant emissions increase of such

pollutant, and the owner or operator elects to use the method specified in paragraphs II.A.24(ii)(a) through (c) of this Ruling for calculating projected actual emissions.

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6. A “reasonable possibility” under paragraph IV.J of this Ruling occurs when the owner or operator calculates the project to result in projected actual emissions increases of at least 50 percent of the significant level defined in paragraph II.A.10 of this section for the regulated NSR pollutant.

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PART 52—[AMENDED]

5. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401, *et seq.*

Subpart A—[Amended]

6. Section 52.21 is amended by revising paragraph (r)(6) introductory text and adding paragraph (r)(6)(vi) to read as follows:

§ 52.21 Prevention of significant deterioration of air quality.

(r) * * *

(6) The provisions of this paragraph (r)(6) apply on a pollutant-by-pollutant basis with respect to any regulated NSR pollutant associated with projects at existing emissions units at a major stationary source (other than projects at a source with a PAL) in circumstances where there is a reasonable possibility, within the meaning of paragraph (r)(6)(vi) of this section, that a project that is not a part of a major modification may result in a significant emissions increase of such pollutant, and the owner or operator elects to use the method specified in paragraphs (b)(41)(ii)(a) through (c) of this section for calculating projected actual emissions.

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(vi) A “reasonable possibility” under paragraph (r)(6) of this section occurs when the owner or operator calculates the project to result in projected actual emissions increases of at least 50 percent of the significant level defined in paragraph (b)(23)(i) of this section for the regulated NSR pollutant.

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[FR Doc. E7-3897 Filed 3-6-07; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R07-OAR-2006-1015; FRL-8284-9]

Approval and Promulgation of Implementation Plans; Iowa; Interstate Transport of Pollution

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing a revision to the Iowa State Implementation Plan (SIP) for the purpose of approving the Iowa Department of Natural Resources’ (IDNR) actions to address the “good neighbor” provisions of the Clean Air Act Section 110(a)(2)(D)(i). These provisions require each state to submit a SIP that prohibits emissions that adversely affect another state’s air quality through interstate transport. IDNR has adequately addressed the four distinct elements related to the impact of interstate transport of air pollutants. These include prohibiting significant contribution to downwind nonattainment of the National Ambient Air Quality Standards (NAAQS), interference with maintenance of the NAAQS, prevention of significant deterioration of air quality, and significant deterioration of visibility. The requirements for public notification were also met by IDNR.

DATES: Comments on this proposed action must be received in writing by April 9, 2007.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-R07-OAR-2006-1015 by one of the following methods:

1. *http://www.regulations.gov*: Follow the on-line instructions for submitting comments.

2. *E-mail:* Hamilton.heather@epa.gov.

3. *Mail:* Heather Hamilton, Environmental Protection Agency, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101.

4. *Hand Delivery or Courier.* Deliver your comments to Heather Hamilton, Environmental Protection Agency, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101. Such deliveries are only accepted during the Regional Office’s normal hours of operation. The Regional Office’s official hours of business are Monday through Friday, 8 to 4:30, excluding legal holidays.

Please see the direct final rule that is located in the Rules section of this **Federal Register** for detailed

instructions on how to submit comments.

FOR FURTHER INFORMATION CONTACT: Heather Hamilton at (913) 551-7039, or by e-mail at Hamilton.heather@epa.gov.

SUPPLEMENTARY INFORMATION: In the final rules section of the **Federal Register**, EPA is approving the state's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no relevant adverse comments to this action. A detailed rationale for the approval is set forth in the direct final rule. If no relevant adverse comments are received in response to this action, no further activity is contemplated in relation to this action. If EPA receives relevant adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed action. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on part of this rule and if that part can be severed from the remainder of the rule, EPA may adopt as final those parts of the rule that are not the subject of an adverse comment. For additional information, see the direct final rule that is located in the rules section of this **Federal Register**.

Dated: February 27, 2007.

John B. Askew,

Regional Administrator, Region 7.

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DEPARTMENT OF THE INTERIOR

Office of the Secretary

43 CFR Part 4

RIN 1094-AA53

Interior Board of Land Appeals Procedures

AGENCY: Office of the Secretary, Interior.

ACTION: Proposed rule.

SUMMARY: The Office of Hearings and Appeals (OHA) is proposing to amend several existing procedural regulations governing appeals to the Interior Board of Land Appeals (IBLA) and to adopt new regulations governing consolidation, extensions of time, intervention, and motions.

DATES: You should submit your comments by May 7, 2007.

ADDRESSES: You may submit comments, identified by the number 1094-AA53, by any of the following methods:

—*Federal rulemaking portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
—*Fax:* 703-235-9014.

—*E-mail:* John_Strylowski@ios.doi.gov.

Include the number 1094-AA53 in the subject line of the message.
—*Mail:* Director, Office of Hearings and Appeals, Department of the Interior, 801 N. Quincy Street, Suite 300, Arlington, Virginia 22203.

—*Hand delivery:* Director, Office of Hearings and Appeals, Department of the Interior, 801 N. Quincy Street, Suite 400, Arlington, Virginia 22203.

FOR FURTHER INFORMATION CONTACT: Robert S. More, Director, Office of Hearings and Appeals, U.S. Department of the Interior, Phone 703-235-3750. Persons who use a telecommunications device for the deaf may call the Federal Information Relay Service at 800-877-8339.

SUPPLEMENTARY INFORMATION:

I. Public Comments

If you wish to comment on this proposed rule, you may submit your comments by any of the methods listed in the **ADDRESSES** section above. We will consider all comments received by the deadline stated in the **DATES** section above.

Please make your comments as specific as possible and explain the reason for any changes you recommend. Where possible, your comments should refer to the specific section or paragraph of the regulations you are addressing.

Our practice is to make comments, including the names of respondents and their home addresses, phone numbers, and e-mail addresses, available for public review during regular business hours. To review the comments, you may contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section above.

Individual respondents may request that we withhold their names and home addresses, etc. But if you wish us to consider withholding this information, you must state this prominently at the beginning of your comments. In addition, you must present a rationale for withholding this information that demonstrates that disclosure would constitute a clearly unwarranted invasion of personal privacy. Unsupported assertions will not meet this burden. In the absence of exceptional, documented circumstances, this information will be released. We will always make submissions from organizations or

businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

II. Background

Based on its experience in recent years, OHA has determined that certain of its existing procedural regulations in 43 CFR part 4, subparts E and L, need to be updated, clarified, or otherwise revised to promote expeditious administrative review. (Subpart E contains regulations governing public land hearings and appeals; subpart L contains regulations governing surface coal mining hearings and appeals.) For example, we propose to amend the existing regulations governing service of documents, reconsideration, statements of reasons for appeal, answers, and requests for hearings.

In addition, OHA has decided to add regulations to subpart E to provide procedures governing motions for consolidation, extensions of time, and intervention, and for serving and responding to any other motions. These subjects are not currently covered in OHA's regulations, and questions have arisen about whether and how these procedures are conducted by IBLA. The amendments and additions are explained in the following section-by-section analysis.

III. Section-by-Section Analysis

A. Subpart E—Special Rules Applicable to Public Land Hearings and Appeals Section 4.400 Definitions

We propose to define "BLM" to mean "Bureau of Land Management," and revise the definition of "bureau" to include the Minerals Management Service, because IBLA reviews some decisions of the Minerals Management Service under subpart E, e.g., decisions concerning offshore minerals management and royalty management. See 30 CFR Sections 290.2, 290.8, 290.108. We propose to add IBLA's address to the definition of "Board," so we do not have to repeat it in other sections of the regulations. And we would add a definition of "last address of record" because this phrase appears in proposed Sections 4.401(c)(1) and 4.422(c)(1), the regulations governing service of documents.

The regulations would specify that "party" includes a party's representative(s) where the context so requires, e.g., in the service regulations where service must be made by or upon a party. The regulations would also specify that "office" or "officer" includes an administrative law judge or