

**AGL OH E5 Circleville, OH [Revised]**

Circleville, Pickaway County Airport, OH  
(Lat. 39°30'58" N., long. 82°58'56" W.),  
Chillicothe, Ross County Airport, OH  
(Lat. 39°26'29"N., long. 83°01'21" W.)

That airspace extending upward from 700 feet above the surface within a 10-mile radius of the Pickaway County Memorial Airport, and within a 9.1-mile radius of Ross County Airport, excluding that airspace within the Waverly, OH Class E Airspace area.

\* \* \* \* \*

Issued in Des Plaines, Illinois on June 19, 2002.

**Nancy B. Shelton,**

*Manager, Air Traffic Division, Great Lakes Region.*

[FR Doc. 02-17370 Filed 7-9-02; 8:45 am]

**BILLING CODE 4910-13-M**

**DEPARTMENT OF THE TREASURY****Internal Revenue Service****26 CFR Part 1**

**[REG-123305-02]**

**Loss Limitation Rules; Correction**

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Correction to proposed rulemaking.

**SUMMARY:** This document contains a correction to REG-123305-02, which was published in the **Federal Register** on Friday, May 31, 2002 (67 FR 38040), relating to loss limitation rules.

**FOR FURTHER INFORMATION CONTACT:** Guy R. Traynor, Regulations Unit, Associate Chief Counsel, (Income Tax & Accounting), (202) 622-7180 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:****Background**

The notice of proposed rulemaking that is the subject of this correction is under sections 337 and 1502 of the Internal Revenue Code.

**Need for Correction**

As published, REG-123305-02 contains errors which may prove to be misleading and are in need of clarification.

**Correction of Publication**

Accordingly, the publication of the notice of proposed rulemaking (REG-123305-02), which is the subject of FR Doc. 02-13575, is corrected as follows:

1. On page 38040, column 1, line four of the heading, the regulation number "[REG-102305-02]" is corrected to read "[REG-123305-02]".

2. On page 38040, column 2, in the preamble under the caption **ADDRESSES:**, line 2, the language "CC:ITA:RU (REG-102740-02), room" is corrected to read "CC:ITA:RU (REG-123305-02), room".

3. On page 38040, column 2, in the preamble under the caption **ADDRESSES:**, lines 7 and 8, the language "between the hours of 8 a.m. and 6 p.m. to CC:ITA:RU (REG-102740-02)," is corrected to read "between the hours of 8 a.m. and 5 p.m. to CC:ITA:RU (REG-123305-02)".

**Cynthia E. Grigsby,**

*Chief, Regulations Unit, Associate Chief Counsel (Income Tax & Accounting).*

[FR Doc. 02-17333 Filed 7-9-02; 8:45 am]

**BILLING CODE 4830-01-P**

**NATIONAL ARCHIVES AND RECORDS ADMINISTRATION****36 CFR Part 1254**

**RIN 3095-AB14**

**Researcher Identification Cards**

**AGENCY:** National Archives and Records Administration (NARA).

**ACTION:** Proposed rule.

**SUMMARY:** NARA is proposing to revise the general regulations concerning availability of records and donated historical materials to change the time period researcher identification cards are valid. NARA proposes to reduce the valid time period to increase NARA's ability to obtain accurate address and telephone information. This will allow NARA to contact researchers if necessary and will ensure better protection of NARA's holdings, buildings, personnel, and the public. This proposed rule will affect individuals who do research in archival materials at NARA facilities.

**DATES:** Comments are due by September 9, 2002.

**ADDRESSES:** Comments must be sent to Regulation Comment Desk (NPOL), Room 4100, Policy and Communications Staff, National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001. They may be faxed to 301-837-0319. You may also comment via the Internet to [comments@nara.gov](mailto:comments@nara.gov).

**FOR FURTHER INFORMATION CONTACT:** Jennifer Davis Heaps on 301-837-1801 or fax 301-837-0319, or [comments@nara.gov](mailto:comments@nara.gov).

**SUPPLEMENTARY INFORMATION:**

Individuals who conduct research in original archival materials at NARA facilities must complete a researcher application form in person and be

issued a researcher identification card. The current time period that these cards are valid is three years. Many of NARA's researchers are short-time visitors to one or more of its facilities. Over 90 percent of the respondents complete the application on a one-time basis for a specific research project. NARA proposes to reduce the valid time period to one year to increase NARA's ability to contact researchers if necessary and to ensure better protection of NARA's holdings, buildings, personnel, and the public. The information collection in § 1254.6, researcher identification application form, is subject to the Paperwork Reduction Act. The Office of Management and Budget (OMB) has assigned 3095-0016 as the control number for this information collection.

Please submit Internet comments within the body of your email message or as an attachment. Please also include "Attn: 3095-AB14" and your name and return address in your Internet message. If you do not receive notification that we have received your Internet message, contact the Regulation Comment Desk at 301-837-1801.

This proposed rule is not a significant regulatory action for the purposes of Executive Order 12866 and has not been reviewed by the Office of Management and Budget. As required by the Regulatory Flexibility Act, I certify that this proposed rule will not have a significant impact on a substantial number of small entities because it applies only to individuals. This proposed rule has no federalism or tribalism implications.

**List of Subjects in 36 CFR Part 1254**

Archives and records, Confidential business information, Freedom of information, Micrographics.

For the reasons set forth in the preamble, NARA proposes to amend part 1254 of title 36 of the CFR as follows:

**PART 1254—AVAILABILITY OF RECORDS AND DONATED HISTORICAL MATERIALS**

1. The authority citation for part 1254 continues to read as follows:

**Authority:** 44 U.S.C. 2101-2118; 5 U.S.C. 552; and E.O. 12600, 52 FR 23781, 3 CFR, 1987 Comp., p. 235.

2. Revise § 1254.6(a) to read as follows:

**§ 1254.6 Researcher identification card.**

(a) An identification card is issued to each person whose application is approved to use records other than microfilm. Cards are valid for 1 year and may be renewed upon application.

Cards issued at one NARA facility are valid at each facility, except as described in paragraph (b) of this section. They are not transferable and must be presented if requested by a guard or research room attendant.

\* \* \* \* \*

Dated: July 1, 2002.

**John W. Carlin,**

*Archivist of the United States.*

[FR Doc. 02-17291 Filed 7-9-02; 8:45 am]

BILLING CODE 7515-01-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 52 and 60

[SIP No. SD-001-0015; FRL-7243-8]

### Approval and Promulgation of Air Quality Implementation Plans; State of South Dakota; New Source Performance Standards

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

**ACTION:** Proposed rule and announcement of South Dakota NSPS delegation.

**SUMMARY:** On June 30, 2000, the State of South Dakota submitted a request for delegation of the New Source Performance Standards (NSPS) and requested that the NSPS be removed from the State Implementation Plan (SIP). Through this **Federal Register** notice, EPA is announcing that on April 2, 2002 we delegated to the State of South Dakota the authority to implement and enforce the NSPS program.

Since the State has been delegated the authority to implement and enforce the NSPS program, we are proposing to remove the NSPS sections from the SIP. EPA is also proposing updates to the NSPS "Delegation Status of New Source Performance Standards" table.

These actions are being taken under sections 110 and 111 of the Clean Air Act. Other parts of the June 30, 2000 submittal will be acted on in a separate notice.

**DATES:** Written comments must be received on or before August 9, 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 South Dakota Department of Environmental and Natural Resources, Air Quality Program, Joe Foss Building, 523 East Capitol, Pierre, South Dakota 57501.

**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. Announcement of South Dakota NSPS Delegation

EPA is announcing that on April 2, 2002, pursuant to section 111(c) of the Clean Air Act, the Agency delegated the authority to the State of South Dakota to implement and enforce the NSPS program for all areas within the State except for lands located within formal Indian reservations within or abutting the State of South Dakota, including the: Cheyenne River Indian Reservation, Crow Creek Indian Reservation, Flandreau Indian Reservation, Lower Brule Indian Reservation, Pine Ridge Indian Reservation, Rosebud Indian Reservation, Standing Rock Indian Reservation, Yankton Indian Reservation, any land held in trust by the United States for an Indian tribe; and any other areas which are "Indian Country" within the meaning of 18 U.S.C. 1151.

##### A. January 25, 2002, Letter of Delegation

Chapter 74:36:07 is the rule that the State uses to implement our NSPS promulgated at 40 CFR part 60. On January 25, 2002, we issued a letter delegating the authority to implement and enforce the NSPS. The categories of new stationary sources covered by this delegation are as follows: NSPS subparts A, D, Da, Db, Dc, Ea, XX, AAA, SSS and WWW in 40 CFR part 60, as in effect on July 1, 1999; NSPS subparts Eb, Ec, Kb, and OOO in 40 CFR part 60, as in effect on July 1, 1998; NSPS subparts F, VV, NNN, and RRR, in 40 CFR part 60, as in effect on July 1, 1996; and NSPS subparts E, I, K, Ka, O, Y, DD, GG, HH, LL, QQ, RR, JJJ and UUU as in effect on July 1, 1995.

The January 25, 2002 letter of delegation to the State follows:

Honorable Bill Janklow,  
*Governor of South Dakota, State Capitol,  
Pierre, South Dakota 57501*

Dear Governor Janklow: On June 30, 2000 the State submitted revisions to the New Source Performance Standards (NSPS) rules in the Administrative Rules of South Dakota (ARSD) 75:36:07. Specifically, the State

revised its NSPS to update the citation of the incorporated Federal NSPS, as appropriate. In addition, the State requested that the NSPS chapter, ARSD 75:36:07, which had been approved into the South Dakota State Implementation Plan (SIP), be removed from the SIP and delegated to the State.

Subsequent to States adopting NSPS regulations, EPA delegates the authority for the implementation and enforcement of those NSPS, so long as the State's regulations are equivalent to the Federal regulations. EPA reviewed the pertinent statutes and regulations of the State of South Dakota and determined that they provide an adequate and effective procedure for the implementation and enforcement of the NSPS by the State of South Dakota. Therefore, pursuant to section 111(c) of the Clean Air Act (Act), as amended, and 40 CFR part 60, EPA hereby delegates its authority for the implementation and enforcement of the NSPS to the State of South Dakota as follows:

(A) Responsibility for all sources located, or to be located, in the State of South Dakota subject to the standards of performance for new stationary sources promulgated in 40 CFR part 60. The categories of new stationary sources covered by this delegation are NSPS subparts A, D, Da, Db, Dc, Ea, XX, AAA, SSS and WWW in 40 CFR part 60, as in effect on July 1, 1999; NSPS subparts Eb, Ec, Kb, and OOO in 40 CFR part 60, as in effect on July 1, 1998; NSPS subparts F, VV, NNN, and RRR, in 40 CFR part 60, as in effect on July 1, 1996; and NSPS subparts E, I, K, Ka, O, Y, DD, GG, HH, LL, QQ, RR, JJJ and UUU as in effect on July 1, 1995.

(B) Not all authorities of NSPS can be delegated to States under Section 111(c) of the Act, as amended. The EPA Administrator retains authority to implement those sections of the NSPS that require: (1) Approving equivalency determinations and alternative test methods, (2) decision making to ensure national consistency, and (3) EPA rulemaking to implement. Therefore, of the NSPS of 40 CFR part 60 being delegated in this letter, the enclosure lists examples of sections in 40 CFR part 60 that cannot be delegated to the State of South Dakota.

(C) As 40 CFR part 60 is updated, South Dakota should revise its regulations accordingly and in a timely manner and submit to EPA requests for updates to its delegation of authority.

This delegation is based upon and is a continuation of the same conditions as those stated in EPA's original delegation letter of March 25, 1976, to the Honorable Richard F. Kneip, then Governor of South Dakota, except that condition 3, relating to Federal facilities, was voided by the Clean Air Act Amendments of 1977. Please also note that EPA retains concurrent enforcement authority as stated in condition 1. In addition, if at any time there is a conflict between a State and Federal NSPS regulation, the Federal regulation must be applied if it is more stringent than that of the State, as stated in condition 6. EPA published its March 25, 1976 delegation letter in the notices section of the April 27, 1976 **Federal Register** (41 FR 17500), along with an associated rulemaking notifying the public