

The EPA also has considered additional monitoring data for 2010 that have been submitted by the states and are in EPA's AQS. Data for the entire 2010 calendar year are not yet certified, so EPA cannot consider these data yet as it evaluates the annual average concentrations. Nevertheless, EPA examined 2010 data available to date as an indication of whether the area continues to attain the standard. EPA believes that these data support the determination that the Saint Louis area continues to attain the PM_{2.5} annual NAAQS.

The EPA's review of these data (monitoring data from the 2007–2009 monitoring period and preliminary 2010 data available to date) supports EPA's determination that the Saint Louis PM_{2.5} nonattainment area has met and continues to meet the 1997 annual PM_{2.5} NAAQS. EPA is soliciting comment on the issues discussed in this document. These comments will be considered before EPA takes final action.

IV. What are the effects of this action?

If this proposed determination is made final, under the provisions of the PM_{2.5} Implementation Rule (40 CFR 51.1004(c)) the requirements for the Saint Louis PM_{2.5} nonattainment area to submit attainment demonstration, RACM (including RACT), a reasonable further progress plan, contingency measures, and other planning SIPs revisions related to attainment of the 1997 annual PM_{2.5} NAAQS shall be suspended for so long as the area continues to attain the 1997 annual PM_{2.5} NAAQS.

As discussed further, the proposed determination of attainment for the Saint Louis PM_{2.5} nonattainment area would, if finalized: (1) Suspend the States' obligation for Missouri and Illinois to submit the requirements listed above; (2) continue such suspension until such time, if any, that EPA subsequently determines that any monitor in the area has violated the 1997 annual PM_{2.5} NAAQS; and (3) be separate from, and not influence or otherwise affect, any future designation determination or requirements for the Saint Louis PM_{2.5} nonattainment areas based on the 2006 PM_{2.5} NAAQS or future PM_{2.5} NAAQ revision.

If this rulemaking is finalized and EPA subsequently determines, after notice-and-comment rulemaking in the **Federal Register**, that the area has violated the 1997 annual PM_{2.5} NAAQS, the basis for the suspension of the specific requirements, set forth at 40 CFR section 51.1004(c), would no longer exist, and the States of Missouri and

Illinois would thereafter have to address the pertinent requirements.

This proposed approval is limited to a determination that the air quality data show that the Saint Louis PM_{2.5} nonattainment area has monitored attainment of the 1997 annual PM_{2.5} NAAQS; it is not equivalent to the redesignation of the Saint Louis PM_{2.5} nonattainment area to attainment of the 1997 annual PM_{2.5} NAAQS. This proposed action, if finalized, would not constitute a redesignation to attainment under section 107(d)(3) of the Clean Air Act (CAA) because the EPA would not have yet approved a maintenance plan for the area as required under CAA section 175A, nor a determination that the Saint Louis PM_{2.5} nonattainment area has met the other requirements for redesignation under the CAA. The designation status of the Missouri and Illinois portions of the Saint Louis PM_{2.5} nonattainment area will remain nonattainment for the 1997 annual PM_{2.5} NAAQS until such time as the EPA takes final rulemaking action to determine that such portions meet the CAA requirements for redesignation to attainment.

V. Statutory and Executive Order Reviews

This action proposes to make a determination based on air quality data and would, if finalized, result in the suspension of certain Federal requirements and would not impose any additional requirements. For that reason, this proposed action:

- Is not a "significant regulatory action" subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (5 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);

- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);

- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act; and

- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this rule does not have Tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the State, and EPA notes that it will not impose substantial direct costs on Tribal governments or preempt Tribal law.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Particulate matter.

Dated: February 9, 2011.

Susan Hedman,

Regional Administrator, Region 5.

Dated: February 22, 2011.

Karl Brooks,

Regional Administrator, Region 7.

[FR Doc. 2011–5048 Filed 3–4–11; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R06–OAR–2010–0846; FRL–9275–9]

Extension of Public Comment Period for Proposed Action on Interstate Transport of Pollution Affecting Visibility and Best Available Retrofit Technology Determination for New Mexico

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; extension of comment period.

SUMMARY: On January 5, 2011, EPA published in the **Federal Register** a proposed rule on interstate transport of pollution affecting visibility and Best Available Retrofit Technology (BART) determination for New Mexico and requested comment by March 7, 2011. EPA is extending the public comment period for the proposed rule until April 4, 2011.

DATES: Comments must be submitted no later than April 4, 2011.

ADDRESSES: Submit your comments, identified by Docket No. EPA-R06-OAR-2010-0846, by one of the following methods:

- *Federal e-Rulemaking Portal:* <http://www.regulations.gov>.

- Follow the online instructions for submitting comments.

- EPA Region 6 "Contact Us" *Web site:* <http://epa.gov/region6/r6comment.htm>. Please click on "6PD (Multimedia)" and select "Air" before submitting comments.

- *E-mail:* Mr. Guy Donaldson at donaldson.guy@epa.gov. Please also send a copy by e-mail to the person listed in the **FOR FURTHER INFORMATION CONTACT** section below.

- *Fax:* Mr. Guy Donaldson, Chief, Air Planning Section (6PD-L), at fax number 214-665-7263.

- *Mail:* Mr. Guy Donaldson, Chief, Air Planning Section (6PD-L), Environmental Protection Agency, 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202-2733.

- *Hand or Courier Delivery:* Mr. Guy Donaldson, Chief, Air Planning Section (6PD-L), Environmental Protection Agency, 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202-2733. Such deliveries are accepted only between the hours of 8 a.m. and 4 p.m. weekdays, and not on legal holidays. Special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to Docket No. EPA-R06-OAR-2010-0846. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through <http://www.regulations.gov> or e-mail. The <http://www.regulations.gov> Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through <http://www.regulations.gov> your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your

name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

FOR FURTHER INFORMATION CONTACT: Joe Kordzi Air Planning Section (6PD-L), Environmental Protection Agency, Region 6, 1445 Ross Avenue, Suite 700, Dallas, Texas 75202-2733, telephone (214) 665-7186, fax number (214) 665-7263; e-mail address kordzi.joe@epa.gov.

SUPPLEMENTARY INFORMATION:

Throughout this document wherever "we," "us," or "our" is used, we mean the EPA. On January 5, 2011, we published in the **Federal Register** a proposed rule on interstate transport of pollution affecting visibility and BART determination for New Mexico (76 FR 492). In the proposal we requested comment by March 7, 2011. On January 11, 2011, we published a notice in the **Federal Register** announcing a public hearing on our proposal to be held in Farmington, New Mexico on February 17, 2011, at San Juan College, beginning at 6 p.m. (76 FR 1578). The proposal, notice of public hearing, and supporting documentation for our proposal can be accessed from the [regulations.gov](http://www.regulations.gov) Web site (Docket No. EPA-R06-OAR-2010-0846).

We are extending the comment period for our proposed rule until April 4, 2011. This extension will provide an opportunity for submission of rebuttal and supplementary information 30 days after the public hearing.

Dated: February 28, 2011.

William L. Luthans,

Acting Multimedia Planning and Permitting Division Director, Region 6.

[FR Doc. 2011-5045 Filed 3-4-11; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R09-OAR-2010-0813; FRL-9239-7]

Revisions to the California State Implementation Plan, Imperial County, Kern County, and Ventura County; Air Pollution Control Districts

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve revisions to the Imperial County Air Pollution Control District (ICAPCD), Kern County Air Pollution Control District (KCAPCD), and Ventura County Air Pollution Control District (VCAPCD) portions of the California State Implementation Plan (SIP). We are proposing to approve revisions to local rules that define terms used in other air pollution regulations in these areas under the Clean Air Act as amended in 1990 (CAA or the Act).

DATES: Any comments on this proposal must arrive by April 6, 2011.

ADDRESSES: Submit comments, identified by docket number EPA-R09-OAR-2010-0813, by one of the following methods:

1. *Federal eRulemaking Portal:*

<http://www.regulations.gov>. Follow the on-line instructions.

2. *E-mail:* steckel.andrew@epa.gov.

3. *Mail or deliver:* Andrew Steckel (Air-4), U.S. Environmental Protection Agency Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901.

Instructions: All comments will be included in the public docket without change and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that you consider CBI or otherwise protected should be clearly identified as such and should not be submitted through <http://www.regulations.gov> or e-mail. <http://www.regulations.gov> is an "anonymous access" system, and EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send e-mail directly to EPA, your e-mail address will be automatically captured and included as part of the public comment. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

Docket: The index to the docket for this action is available electronically at <http://www.regulations.gov> and in hard copy at EPA Region IX, 75 Hawthorne Street, San Francisco, California. While all documents in the docket are listed in the index, some information may be publicly available only at the hard copy location (e.g., copyrighted material), and some may not be publicly available in either location (e.g., CBI). To inspect the