

Element	IL	IN	OH	MI	MN	WI
E: Adequate resources .....	A	A	A	A	A	A
F: Stationary source monitoring system .....	A	A	A	A	A	A
G: Emergency power .....	A	A	A	A	A	A
H: Future SIP revisions .....	A	A	A	A	A	A
I: Nonattainment area plan or plan revisions under part D .....	NA	NA	NA	NA	NA	NA
J1: Consultation with government officials .....	A	A	A	A	A	A
J2: Public notification .....	A	A	A	A	A	A
J3: PSD .....	**	**	**	**	**	**
J4: Visibility protection (Regional Haze) .....	NA	NA	NA	NA	NA	NA
K: Air quality modeling and data .....	A	A	A	A	A	A
L: Permitting fees .....	A	A	A	A	A	A
M: Consultation and participation by affected local entities .....	A	A	A	A	A	A

In the above table, the key is as follows:

A .....	Approve.
CA .....	Conditionally Approve.
NA .....	No Action/Separate Rulemaking.
* .....	Federally promulgated rules in place.
** .....	Previously discussed in element (C).

**VI. Statutory and Executive Order Reviews**

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve State choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves State law as meeting Federal requirements and does not impose additional requirements beyond those imposed by State law. For that reason, this 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 (44 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 CAA; 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, Intergovernmental relations, Ozone, Particulate matter, Reporting and recordkeeping requirements.

Dated: April 19, 2011.

**Susan Hedman,**

*Regional Administrator, Region 5.*

[FR Doc. 2011-10331 Filed 4-27-11; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Parts 60 and 63**

[EPA-HQ-OAR-2009-0234; EPA-HQ-OAR-2011-0044, FRL-9300-1]

**RIN 2060-AP52**

**National Emission Standards for Hazardous Air Pollutants From Coal- and Oil-Fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial-Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units**

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

**ACTION:** Proposed rule; Notice of public hearings.

**SUMMARY:** EPA published in the **Federal Register** on May 3, 2011, the proposed rule "National Emission Standards for Hazardous Air Pollutants from Coal- and Oil-fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial-Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units." EPA is announcing three public hearings to be held for the proposed rule.

**DATES:** The public hearings will be held on May 24, 2011, and May 26, 2011.

**ADDRESSES:** Public hearings will be held on May 24, 2011, in Chicago, IL, and Philadelphia, PA. The Chicago, IL, hearing will be held at the Crowne Plaza Chicago Metro in Ballroom D located at 733 West Madison Street, Chicago, IL 60611; *Telephone:* (312) 829-5000. The Philadelphia, PA, hearing will be held at the Westin Philadelphia in the Georgian Room located at 99 South 17th Street at Liberty Place, Philadelphia, PA 19103; *Telephone:* (888) 627-8153. The May 26, 2011, hearing will be held in the EPA Region IV offices at the Sam Nunn Atlanta Federal Center (AFC)

Conference Rooms C and D, 61 Forsyth Street SW., Atlanta, GA 30303-8960; telephone (800) 241-1754. For the Atlanta, GA, hearing, visitors must go through the metal detector, sign in with the security desk, be accompanied by an employee, and will need to show photo identification to enter the building.

The three public hearings will convene at 9 a.m. and continue until 8 p.m. (local time). EPA will make every effort to accommodate all speakers that arrive and register before 8 p.m. A lunch break is scheduled from 12:30 p.m. until 2 p.m. and a dinner break is scheduled from 5 p.m. until 6:30 p.m. during the hearings. The EPA Web Site for the rulemaking, which includes the proposal and information about the public hearings, can be found at: <http://www.epa.gov/airquality/powerplanttoxics/actions.html>.

**FOR FURTHER INFORMATION CONTACT:** If you would like to present oral testimony at the public hearing, please contact Ms. Pamela Garrett, U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, Air Quality Planning Division, (D243-01), Research Triangle Park, NC 27711, telephone (919) 541-7966, fax number (919) 541-5450, e-mail address: [garrett.pamela@epa.gov](mailto:garrett.pamela@epa.gov) (preferred method for registering), no later than 2 business days prior to each public hearing. The last day to register will be close-of-business Thursday, May 19, 2011, for the Chicago, IL, and Philadelphia, PA, hearings, and Monday, May 23, 2011, for the Atlanta, GA, hearing. If using e-mail, please provide the following information: Time you wish to speak (morning, afternoon, evening), name, affiliation, address, e-mail address, and telephone and fax numbers.

Questions concerning the May 3, 2011, proposed rule should be addressed to Mr. William Maxwell, U.S. EPA, Office of Air Quality Planning and Standards, Energy Strategies Group, (D243-01), Research Triangle Park, N.C. 27711, telephone number (919) 541-5430, e-mail at [maxwell.bill@epa.gov](mailto:maxwell.bill@epa.gov) for the NESHAP and Mr. Christian Fellner, U.S. EPA, Office of Air Quality Planning and Standards, Energy Strategies Group, (D243-01), Research Triangle Park, N.C. 27711, telephone number (919) 541-4003, e-mail at [fellner.christian@epa.gov](mailto:fellner.christian@epa.gov) for the NSPS.

**Public hearing:** The proposal for which EPA is holding the public hearing was published in the **Federal Register** on May 3, 2011 and is available at: <http://www.epa.gov/airquality/powerplanttoxics/actions.html> or <http://www.epa.gov/ttn/atw/utility/>

[utilitypg.html](#) and also in the docket identified below. The public hearings will provide interested parties the opportunity to present oral comments regarding EPA's proposed NESHAP standards, including data, views, or arguments concerning the proposal. The EPA may ask clarifying questions during the oral presentations, but will not respond to the presentations at that time. Written statements and supporting information submitted during the comment period will be considered with the same weight as any oral comments and supporting information presented at the public hearing.

Commenters should notify Ms. Garrett if they will need specific equipment, or if there are other special needs related to providing comments at the hearings. EPA will provide equipment for commenters to show overhead slides or make computerized slide presentations if we receive special requests in advance. Oral testimony will be limited to 5 minutes for each commenter. EPA encourages commenters to provide EPA with a copy of their oral testimony electronically (via e-mail or CD) or in hard copy form.

The hearing schedules, including lists of speakers, will be posted on EPA's Web Sites <http://www.epa.gov/airquality/powerplanttoxics/actions.html> or <http://www.epa.gov/ttn/atw/utility/utilitypg.html>. Verbatim transcripts of the hearings and written statements will be included in the docket for the rulemaking.

EPA will make every effort to follow the schedule as closely as possible on the day of the hearings; however, please plan for the hearing to run either ahead of schedule or behind schedule.

#### **How can I get copies of this document and other related information?**

The EPA has established a docket for the proposed rule "National Emission Standards for Hazardous Air Pollutants from Coal- and Oil-fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial-Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units" under No. EPA-HQ-OAR-2011-0044 (NSPS action) or Docket ID No. EPA-HQ-OAR-2009-0234 (NESHAP action) (available at <http://www.regulations.gov>).

#### **List of Subjects in 40 CFR Parts 60 and 63**

Environmental protection, Administrative practice and procedure, Air pollution control, Hazardous substances, Intergovernmental relations,

Reporting and recordkeeping requirements.

Dated: April 25, 2011.

**Mary Henigin,**

*Acting Director, Office of Air Quality Planning and Standards.*

[FR Doc. 2011-10283 Filed 4-27-11; 8:45 am]

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## **ENVIRONMENTAL PROTECTION AGENCY**

### **40 CFR Part 82**

**[EPA-HQ-OAR-2008-0321; FRL-9300-3]**

**RIN 2060-AP92**

### **Protection of Stratospheric Ozone: The 2011 Critical Use Exemption From the Phaseout of Methyl Bromide**

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing uses that qualify for the 2011 critical use exemption and the amount of methyl bromide that may be produced, imported, or supplied from existing pre-phaseout inventory for those uses in 2011. EPA is taking action under the authority of the Clean Air Act to reflect a recent consensus decision taken by the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer at the Twenty-First Meeting of the Parties. EPA is seeking comment on the list of critical uses and on EPA's determination of the amounts of methyl bromide needed to satisfy those uses.

**DATES:** Comments must be submitted by May 31, 2011. Any party requesting a public hearing must notify the contact person listed below by 5 p.m. Eastern Standard Time on May 3, 2011. If a hearing is requested it will be held on May 13, 2011 and comments will be due to the Agency June 13, 2011. EPA will post information regarding a hearing, if one is requested, on the Ozone Protection Web site <http://www.epa.gov/ozone/strathome.html>. Persons interested in attending a public hearing should consult with the contact person below regarding the location and time of the hearing.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-OAR-2008-0321, by one of the following methods:

- <http://www.regulations.gov>: Follow the on-line instructions for submitting comments.
- E-mail: [a-and-r-Docket@epa.gov](mailto:a-and-r-Docket@epa.gov).
- Fax: 202-566-1741.
- Mail: Docket EPA-HQ-OAR-2008-0321, Air and Radiation Docket and