The following safety zone will be enforced from 5 p.m. on July 09, 2011 through 1 a.m. on July 10, 2011:

<table>
<thead>
<tr>
<th>Event name</th>
<th>Location</th>
<th>Latitude</th>
<th>Longitude</th>
<th>Radius</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bainbridge Island Fireworks</td>
<td>Eagle Harbor</td>
<td>47°37.267' N</td>
<td>122°31.583' W</td>
<td>300</td>
</tr>
<tr>
<td>City of Anacortes Fireworks</td>
<td>Fidalgo Bay</td>
<td>47°17.1' N</td>
<td>122°28.4' W</td>
<td>350</td>
</tr>
<tr>
<td>Roche Harbor Fireworks</td>
<td>Roche Harbor</td>
<td>48°36.7' N</td>
<td>123°09.5' W</td>
<td>150</td>
</tr>
<tr>
<td>Blast Over Bellingham</td>
<td>Bellingham Bay</td>
<td>48°44.933' N</td>
<td>122°29.667' W</td>
<td>450</td>
</tr>
<tr>
<td>Port Orchard Fireworks</td>
<td>Port Orchard</td>
<td>47°32.883' N</td>
<td>122°37.917' W</td>
<td>350</td>
</tr>
<tr>
<td>Steilacoom Annual Fireworks</td>
<td>Steilacoom</td>
<td>47°10.4' N</td>
<td>122°36.2' W</td>
<td>450</td>
</tr>
<tr>
<td>Fireworks Display</td>
<td>Henderson Bay</td>
<td>47°21.8' N</td>
<td>122°38.567' W</td>
<td>250</td>
</tr>
<tr>
<td>Chase Family Fourth at Lake Union</td>
<td>Lake Union</td>
<td>47°38.418' N</td>
<td>122°20.111' W</td>
<td>300</td>
</tr>
<tr>
<td>Friday Harbor Independence</td>
<td>Friday Harbor</td>
<td>48°32.6' N</td>
<td>122°00.467' W</td>
<td>250</td>
</tr>
<tr>
<td>Port Townsend Sunrise Rotary</td>
<td>Port Townsend</td>
<td>48°08.067' N</td>
<td>122°46.467' W</td>
<td>200</td>
</tr>
<tr>
<td>Orcas Island</td>
<td>Orcas Island</td>
<td>48°41.317' N</td>
<td>122°54.467' W</td>
<td>250</td>
</tr>
</tbody>
</table>

The following safety zone will be enforced from 5 p.m. on July 29, 2011 through 1 a.m. on July 30, 2011:

<table>
<thead>
<tr>
<th>Event name</th>
<th>Location</th>
<th>Latitude</th>
<th>Longitude</th>
<th>Radius</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mercer Island Celebration</td>
<td>Mercer Island</td>
<td>47°35.517' N</td>
<td>122°13.233' W</td>
<td>450</td>
</tr>
</tbody>
</table>

The following safety zone will be enforced from 5 p.m. on August 13, 2011 through 1 a.m. on August 14, 2011:

<table>
<thead>
<tr>
<th>Event name</th>
<th>Location</th>
<th>Latitude</th>
<th>Longitude</th>
<th>Radius</th>
</tr>
</thead>
<tbody>
<tr>
<td>Whaling Days</td>
<td>Dyes Inlet</td>
<td>47°38.65' N</td>
<td>122°41.35' W</td>
<td>450</td>
</tr>
<tr>
<td>Medina Days</td>
<td>Medina Park</td>
<td>47°36.867' N</td>
<td>122°14.5' W</td>
<td>300</td>
</tr>
</tbody>
</table>

The special requirements listed in 33 CFR 165.1332, which can be found in the Federal Register (75 FR 33698) published on June 15, 2010, apply to the activation and enforcement of these safety zones.

All vessel operators who desire to enter the safety zone must obtain permission from the Captain of the Port or Designated Representative by contacting either the on-scene patrol craft on VHF Ch 13 or Ch 16 or the Coast Guard Sector Puget Sound Joint Harbor Operations Center (JHOC) via telephone at (206) 217–6002.

The Coast Guard may be assisted by other Federal, State, or local law enforcement agencies in enforcing this regulation.

This notice is issued under authority of 33 CFR 165.1332 and 33 CFR 165 and 5 U.S.C. 552(a). In addition to this notice, the Coast Guard will provide the maritime community with extensive advanced notification of the safety zones via the Local Notice to Mariners and marine information broadcasts on the day of the events.

Dated: May 20, 2011.

S.J. Ferguson,
Captain, U.S. Coast Guard, Captain of the Port, Puget Sound.

[FR Doc. 2011–14330 Filed 6–8–11; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52


Approval and Promulgation of Determination of Attainment for the 1997 8-Hour Ozone Standard: States of Missouri and Illinois

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking final action to determine that the St. Louis (MO–IL) metropolitan nonattainment area has attained the 1997 8-hour National Ambient Air Quality Standard (NAAQS) for ozone. The St. Louis metropolitan ozone nonattainment area includes the counties of Franklin, Jefferson, St. Charles, and St. Louis as well as St. Louis City in Missouri; and the counties of Madison, Monroe, St. Clair, and Jersey in Illinois. This final determination is based on three years of complete, quality assured ambient air quality monitoring data for Missouri and Illinois for the 2008 through 2010 ozone seasons showing attainment of the NAAQS at all ozone monitoring sites in the nonattainment area. Based on this final determination, the obligation to submit certain ozone attainment demonstration requirements, along with other requirements related to the attainment of the 1997 8-hour ozone standard are suspended.

DATES: This rule is effective on July 11, 2011.
Review of the 2008–2010 ozone monitoring data in the nonattainment area shows that all sites were attaining the 1997 8-hour ozone NAAQS during this period. Therefore, based on the most recent three years of complete, quality assured ozone monitoring data, EPA is determining that the 1997 8-hour ozone standard has been attained in the St. Louis (MO-IL) metropolitan nonattainment area.
II. What is the effect of this action?

EPA is taking final action to determine that the St. Louis metropolitan 8-hour ozone nonattainment area consisting of both the Missouri and Illinois portions of the area has attained the 1997 8-hour ozone standard. As provided in 40 CFR 51.918, based on this determination, certain attainment demonstration requirements and associated reasonably available control measures, reasonable further progress plans, contingency measures, and other planning SIP requirements related to attainment of the 8-hour ozone NAAQS shall be suspended as to the St. Louis nonattainment area. Under 40 CFR 51.918, a final determination that the area has met the 1997 8-hour ozone standard suspends the state’s obligation to submit requirements related to attainment, for so long as the area continues to attain the standard.

This action does not constitute a redesignation to attainment under CAA section 107(d)(3), because Missouri and Illinois do not have approved maintenance plans as required under section 175A of the CAA, nor has EPA made a determination that the area has met the other requirements for redesignation. The ozone classification and designation status of the area remains moderate nonattainment for the 1997 8-hour ozone NAAQS until such time as a redesignation request and maintenance plan are submitted to EPA and EPA determines that it meets the CAA requirements for redesignation to attainment.

If EPA subsequently determines, after notice-and-comment rulemaking in the Federal Register, that the area has violated the 1997 8-hour ozone standard, the basis for the suspension of these requirements would no longer exist, and the area would thereafter have to address the pertinent requirements.

III. EPA’s Determination of Attainment

EPA is taking final action to determine that the St. Louis (MO-IL) metropolitan 1997 8-hour ozone nonattainment area has attained the 1997 8-hour ozone standard based on three years of complete, quality assured ambient air quality monitoring data for Missouri and Illinois for the 2008–2010 ozone seasons. As provided in 40 CFR 51.918, based on this determination, the requirements for Missouri and Illinois to submit an attainment demonstration and associated reasonably available control measures, a reasonable further progress plan, and contingency measures under section 172(c)(9), and any other planning SIP related to attainment of the 1997 8-hour ozone NAAQS for the St. Louis Metropolitan area would be suspended. This suspension of requirements would be effective as long as the area continues to attain the 1997 8-hour ozone standard. This action addresses only the 1997 8-hour ozone standard of 0.08 ppm, and does not address any subsequent revisions to the standard.

IV. Statutory and Executive Order Reviews

This final determination of attainment is based on air quality data and would result in the suspension of certain Federal Requirements. Accordingly, this action does not impose additional requirements beyond those imposed by state law. Therefore this final 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 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 8-hour ozone clean NAAQS data final determination for the St. Louis (MO-IL) metropolitan area 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.

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by August 8, 2011. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

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. EPA will submit a report containing this action 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. A major rule cannot take effect until 60 days after it is published in the Federal Register. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: May 24, 2011.

Karl Brooks,
Regional Administrator, Region 7.

Dated: June 1, 2011.

Susan Hedman,
Regional Administrator, Region 5.

40 CFR part 52 is amended as follows:

PART 52—[AMENDED]

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

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

Subpart O—Illinois

* * * * *
II. What is the background for this action?

On July 18, 1997, EPA promulgated new standards for 8-hour ozone and fine particulate matter (PM$_{2.5}$). Section 110(a)(1) of the CAA requires states to submit SIPs to address a new or revised NAAQS within three years after promulgation of such standards, or within such shorter period as EPA may prescribe. Section 110(a)(2) lists the elements that such new SIPs must address, as applicable, including section 110(a)(2)(D)(i) which pertains to interstate transport of certain emissions. On June 23, 2010, the State of Oregon submitted a SIP revision addressing the requirements of section 110(a)(2)(D)(i) for both the 1997 8-hour ozone NAAQS and 1997 PM$_{2.5}$ NAAQS. In this rulemaking EPA is addressing the first two elements of section 110(a)(2)(D)(i): (1) Significant contribution to nonattainment of these NAAQS in any other state, and (2) interference with maintenance of these NAAQS by any other state. On April 7, 2011, EPA published a proposal to approve the portion of Oregon’s SIP submission that addresses these two elements. 76 FR 19292.

III. Public Comments on the Proposed Action

EPA provided a 30-day review and comment period and solicited comments on our proposal published on April 7, 2011. 76 FR 19292. EPA received no comments on this proposed action.

IV. Final Action

EPA is approving the revisions to the Oregon SIP as discussed in our proposed action and concludes that for the 1997 8-hour ozone NAAQS and 1997 PM$_{2.5}$ NAAQS, air pollutant emissions from sources within Oregon do not either (1) significantly contribute to nonattainment of the NAAQS in any other state; or (2) interfere with maintenance of the NAAQS by any other state.

As noted previously, EPA will address element (3) interference with any other state’s required measures to prevent significant deterioration of its required measures to protect visibility in separate actions. This action does not address the requirements of the 2006 PM$_{2.5}$ NAAQS or the 2008 8-hour ozone NAAQS; those standards will be addressed in future actions.