

our proposed determination that the area has attained the 24-hour PM<sub>10</sub> NAAQS; that relevant portions of the California SIP are fully approved; that the improvement in air quality is due to permanent and enforceable reductions in emissions; that California has met all requirements applicable to the South Coast PM<sub>10</sub> nonattainment area with respect to section 110 and part D of the CAA; and is based on our proposed approval of the 2009 South Coast PM<sub>10</sub> Maintenance Plan as part of this action.

Second, in connection with the 2009 South Coast PM<sub>10</sub> Redesignation Request and Maintenance Plan, EPA proposes to find that the maintenance demonstration showing how the area will continue to attain the 24-hour PM<sub>10</sub> NAAQS for at least 10 years beyond redesignation (i.e., through 2030) and the associated motor vehicle emissions budgets (Table 6 of this notice) meet applicable CAA requirements for maintenance plans and transportation conformity requirements under 40 CFR 93.118(e). We are also proposing to approve the 2010 emissions inventory as meeting applicable requirements for emissions inventories in CAA section 175A and 172.

We are soliciting comments on these proposed actions. We will accept comments from the public on this proposal for 30 days following publication of this proposal in the **Federal Register**. We will consider these comments before taking final action.

## VII. Statutory and Executive Order Reviews

Under the CAA, redesignation of an area to attainment and the accompanying approval of a maintenance plan under section 107(d)(3)(E) are actions that affect the status of a geographical area and do not impose any additional regulatory requirements on sources beyond those imposed by State law. A redesignation to attainment does not in and of itself create any new requirements, but rather results in the applicability of requirements contained in the CAA for areas that have been redesignated to attainment. Moreover, the Administrator is required to approve a SIP submittal that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submittals, EPA's role is to approve State choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this action merely approves State law as meeting Federal requirements and does not impose additional requirements beyond those imposed by State law. For these reasons, these actions:

- Are not "significant regulatory actions" subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);

- Do not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 et seq.);

- Are 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.);

- Do 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);

- Do not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);

- Are not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);

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

- Are 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

- Do 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

#### 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Particulate matter, Reporting and recordkeeping requirements.

#### 40 CFR Part 81

Environmental protection, Air pollution control, National parks, Wilderness areas.

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

Dated: March 22, 2013.

**Jared Blumenfeld,**

*Regional Administrator, Region IX.*

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 80

[EPA-HQ-OAR-2011-0135; FRL-9799-6]

RIN 2060-AQ86

### Control of Air Pollution From Motor Vehicles: Tier 3 Motor Vehicle Emission and Fuel Standards; Public Hearing and Comment Period

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

**ACTION:** Announcement of public hearings and comment period.

**SUMMARY:** The EPA is announcing two public hearings to be held for the proposed rule "Control of Air Pollution from Motor Vehicles: Tier 3 Motor Vehicle Emission and Fuel Standards" (the proposed rule is hereinafter referred to as "Tier 3"), which will be published separately in the **Federal Register**. The hearings will be held in Philadelphia, PA on April 24, 2013 and in Chicago, IL on April 29, 2013. The comment period for the proposed rulemaking will end on June 13, 2013.

**DATES:** The public hearings will be held on April 24, 2013 in Philadelphia, PA and on April 29, 2013 in Chicago, IL. To register to testify at either hearing, notify the contact person listed under **FOR FURTHER INFORMATION CONTACT** at least one week before the date of the hearing. Information regarding time of the hearing is also listed below in **SUPPLEMENTARY INFORMATION**. The comment period will end on June 13, 2013.

**ADDRESSES:** The hearings will be held at the following locations: The April 24, 2013 hearing will be held at the Sonesta Hotel Philadelphia, 1800 Market Street, Philadelphia, PA 19103; the April 29, 2013 hearing will be held at the Doubletree Magnificent Mile, 300 E. Ohio Street, Chicago, IL 60611. In addition, a conference call-in line will be provided to allow for the opportunity for the public to listen to each hearing; information regarding the conference number and passcode will be posted at [www.epa.gov/otaq/tier3.htm](http://www.epa.gov/otaq/tier3.htm). Please note that this conference line will allow the public to listen only; persons listening will not be able to give an oral presentation via the conference line. Written comments on the proposed rule

may also be submitted to EPA electronically, by mail, by facsimile, or through hand delivery/courier. Please refer to the notice of proposed rulemaking for the addresses and detailed instructions for submitting written comments.

When the proposed rule is published in the **Federal Register**, a complete set of documents related to the proposal will be available for public inspection at the EPA Docket Center, located at 1301 Constitution Avenue NW., Room 3334, Washington, DC between 8:30 a.m. and 4:30 p.m., Monday through Friday, excluding legal holidays. A reasonable fee may be charged for copying. Documents are also available through the electronic docket system at <http://www.regulations.gov>. The EPA Web site for the rulemaking, which includes a copy of the pre-publication version of the proposal, can be found at: [www.epa.gov/otaq/tier3.htm](http://www.epa.gov/otaq/tier3.htm).

**FOR FURTHER INFORMATION CONTACT:** If you would like to present oral testimony at one of the public hearings, please contact JoNell Iffland, Office of Transportation and Air Quality, Assessment and Standards Division, Environmental Protection Agency, 2000 Traverwood Drive, Ann Arbor, MI 48105; telephone number: (734) 214-4454; Fax number: (734) 214-4816; Email address: [Iffland.jonell@epa.gov](mailto:Iffland.jonell@epa.gov). Please provide the following information: Name, affiliation, address, email address, telephone and fax numbers, time you wish to speak (morning, afternoon, or no preference; we will try to accommodate these requests in as much as possible), and whether you require accommodations such as a sign language interpreter or translator.

**SUPPLEMENTARY INFORMATION:** The proposal for which EPA is holding the public hearings will be published separately in the **Federal Register**. A pre-publication copy of the signed notice of proposed rulemaking has been available since March 29, 2013, on the following Web site: [www.epa.gov/otaq/tier3.htm](http://www.epa.gov/otaq/tier3.htm). EPA is proposing Tier 3 regulations to establish more stringent vehicle emissions standards and reduce the sulfur content of gasoline beginning in 2017, as part of a systems approach to addressing the impacts of motor vehicles and fuels on air quality and public health. The proposed gasoline sulfur standard would make emission control systems more effective for both

existing and new vehicles, and would enable more stringent vehicle emissions standards. The proposed vehicle standards would reduce both tailpipe and evaporative emissions from passenger cars, light-duty trucks, medium-duty passenger vehicles, and some heavy-duty vehicles. This would result in significant reductions in pollutants such as ozone, particulate matter, and air toxics across the country and help state and local agencies in their efforts to attain and maintain health-based National Ambient Air Quality Standards. Motor vehicles are an important source of exposure to air pollution both regionally and near roads. The proposed Tier 3 vehicle standards are intended to harmonize with California's Low Emission Vehicle program, thus creating a federal vehicle emissions program that would allow automakers to sell the same vehicles in all 50 states. The proposed vehicle standards would be implemented over the same timeframe as the greenhouse gas/fuel efficiency standards for light-duty vehicles, as part of a comprehensive approach toward regulating emissions from motor vehicles.

**Public Hearing:** The public hearings will provide interested parties the opportunity to present data, views, or arguments concerning the proposed rule. 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 along with any oral comments and supporting information presented at the public hearing. Written comments must be received by the last day of the comment period.

The public hearings will be held on April 24, 2013 in Philadelphia, PA and April 29, 2013 in Chicago, IL. Each hearing will begin at 10:00 a.m. local time and will continue until everyone has had a chance to speak. To testify at either of the public hearings, please notify the contact person listed under **FOR FURTHER INFORMATION CONTACT** at least one week before the hearing you wish to speak at. Once EPA learns how many people have registered to speak at each public hearing, we will allocate an appropriate amount of time to each participant, allowing time for lunch and necessary breaks throughout the day. In addition, we will reserve a block of time for anyone else in the audience who

wishes to give an oral presentation. For planning purposes, each speaker should anticipate speaking for no more than ten minutes, although we may need to adjust the time for each speaker if there is a large turnout. We request that you bring three copies of your statement or other material for the EPA panel. It would also be helpful if you send us a copy of your statement or other materials before the hearing. To accommodate as many speakers as possible, we prefer that speakers not use technological aids (e.g., audio-visuals, computer slideshows, etc.). However, if you wish to do so, you must notify the contact person in the **FOR FURTHER INFORMATION CONTACT** section. You also must make arrangements to provide your presentation or any other aids to EPA in advance of the hearing in order to facilitate set-up.

We will make tentative schedules for the order of testimony at each hearing based on the notifications we receive. These schedules will be available on the morning of each hearing.

The hearings will be held at sites accessible to individuals with disabilities. Individuals who require accommodations such as sign language interpreters should contact the person listed under **FOR FURTHER INFORMATION CONTACT** section at least one week before the date of the hearing for which such accommodations are needed.

Written transcripts of the hearings and written statements submitted at a hearing will be included in the rulemaking docket.

**Comment Period:** The comment period will remain open until June 13, 2013.

#### **How can I get copies of this document, the proposed rule, and other related information?**

The EPA has established a docket for this action under Docket ID No. EPA-HQ-OAR-2011-0135. The EPA has also developed a Web site for the proposed rule, including the notice of proposed rulemaking, at the address given above. Please refer to the notice of proposed rulemaking for detailed information on accessing information related to the proposal.

Dated: April 2, 2013.

**Lori Stewart**,  
*Acting Director, Office of Transportation and Air Quality.*

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