

### IX. What action is EPA proposing to take?

EPA is proposing to approve New York's request for redesignating the NYNAA for the 1997 and 2006 PM<sub>2.5</sub> NAAQS to attainment, because the State has demonstrated compliance with the requirements of section 107(d)(3)(E) for redesignation. EPA has evaluated New York's redesignation request and determined that it meets the redesignation criteria set forth in section 107(d)(3)(E) of the CAA. EPA believes that the monitoring data demonstrate that the NYNAA has attained the 1997 annual and 2006 24-hour PM<sub>2.5</sub> NAAQS and will continue to attain the standard. Final approval of this redesignation request would change the designation of the NYNAA from nonattainment to attainment for the 1997 PM<sub>2.5</sub> annual and the 2006 PM<sub>2.5</sub> 24-hour NAAQS. EPA is also proposing to approve the maintenance plan for the NYNAA as a revision to the New York SIP. EPA is also proposing to approve the 2007 NH<sub>3</sub>, VOC, NO<sub>x</sub>, PM<sub>10</sub>, direct PM<sub>2.5</sub>, and SO<sub>2</sub> emission inventories as meeting the comprehensive emissions inventory requirements of section 172(c)(3) of CAA. Additionally, EPA is proposing to approve the 2009, 2017, and 2025 motor vehicle emissions budgets for PM<sub>2.5</sub> and NO<sub>x</sub>. EPA is soliciting public comments on the issues discussed in this document. These comments will be considered before taking final action.

### X. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve a SIP submission 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 submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this action merely proposes to approve state law as meeting Federal requirements and does not impose additional requirements

beyond those imposed by state law. 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 (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 proposed 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, Nitrogen dioxide, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides.

#### 40 CFR Part 81

Environmental protection, Air pollution control.

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

Dated: January 16, 2014.

**Judith A. Enck,**

*Regional Administrator, Region 2.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 300

[Docket No. 130717632-4070-01]

RIN 0648-BD52

### International Fisheries; Pacific Tuna Fisheries; Fishing Restrictions in the Eastern Pacific Ocean

#### Correction

In proposed rule document 2014-02333 appearing on pages 6876-6880 in the issue of February 5, 2014, make the following correction:

On page 6876, in the second column, in the first and second lines above the

**FOR FURTHER INFORMATION CONTACT** heading,

"*RegionalAdministrato.WCRHMS@*

*noaa.gov*" should read

"*RegionalAdministrator.WCRHMS@*

*noaa.gov*".

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