

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).

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 June 12, 2015. 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. Parties with objections to this direct final rule are encouraged to file a comment in response to the parallel notice of proposed rulemaking for this action published in the Proposed Rules section of this **Federal Register**, rather than file an immediate petition for judicial review of this direct final rule, so that EPA can withdraw this direct final rule and address the comment in the proposed rulemaking. This action may not be challenged later in proceedings to enforce its requirements (see section 307(b)(2)).

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

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

Dated: February 12, 2015.

**Alexis Strauss,**

*Acting Regional Administrator, Region IX.*

Part 52, chapter I, title 40 of the Code of Federal Regulations 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 F—California

■ 2. Section 52.220 is amended by adding paragraph (c)(456) to read as follows:

#### § 52.220 Identification of plan.

\* \* \* \* \*

(c) \* \* \*

(456) New and amended regulations for the following APCDs were submitted on February 7, 2008 by the Governor's designee.

(i) [Reserved]

(ii) Additional Material.

(A) Northern Sierra Air Quality Management District.

(1) Reasonably Available Control Technology (RACT) State Implementation Plan (SIP) Revision for Western Nevada County 8-Hour Ozone Non-Attainment Area as adopted on June 25, 2007.

■ 3. Section 52.222 is amended by adding paragraph (a)(9)(iii) to read as follows:

#### § 52.222 Negative declarations.

(a) \* \* \*

(9) \* \* \*

(iii) EPA-453/R-97-004 Aerospace CTG and MACT; EPA-450/2-77-008 Control of Volatile Organic Emissions from Existing Stationary Sources—Volume II: Surface Coating of Cans, Coils, Paper, Fabrics, Automobiles, and Light-Duty Trucks; EPA-450/2-78-032, Control of Volatile Organic Emissions from Existing Stationary Sources—Volume VII: Factory Surface Coating of Flat Wood Paneling; EPA-450/2-77-026, Control of Hydrocarbons from Tank Truck Gasoline Loading Terminals; EPA-450/2-78-033, Control of Volatile Organic Emissions from Existing Stationary Sources—Volume III: Graphic Arts—Rotogravure and Flexography; EPA-450/2-77-034 Control of Volatile Organic Emissions from Existing Stationary Sources—Volume V: Surface Coating of Large Appliances; EPA-450/3-82-009, Control of Volatile Organic Compound Emissions from Large Petroleum Dry Cleaners; EPA-450/2-77-033 Control of Volatile Organic Emissions from Existing Stationary Sources—Volume IV: Surface Coating of Insulation of Magnet Wire; EPA-450/2-77-032 Control of Volatile Organic Emissions from Existing Stationary Sources—Volume III: Surface Coating of Metal Furniture; EPA-450-83-007, Control of Volatile Organic Compound Equipment Leaks from Natural Gas/Gasoline Processing Plants; EPA-450/2-78-047, Control of Volatile Organic Compound Emissions from Petroleum Liquid Storage in External Floating Roof Tanks; EPA-450/2-77-025 Control of Refinery Vacuum Producing Systems, Wastewater Separators, and Process Unit Turnarounds; EPA-450/2-78-036 Control of Volatile Organic Compound Leaks from Petroleum Refinery Equipment; EPA-450/2-78-029 Control of Volatile Organic Emissions from

Manufacture of Synthesized Pharmaceutical Products; EPA-450/2-78-030 Control of Volatile Organic Emissions from Manufacture of Pneumatic Rubber Tires; EPA-450/3-83-008 Control of Volatile Organic Compound Emissions from Manufacture of High-Density Polyethylene, Polypropylene, and Polystyrene Resins; EPA-450/3-83-006 Control of Volatile Organic Compound Leaks from Synthetic Organic Chemical Polymer and Resin Manufacturing Equipment; EPA-450/3-94-032, Shipbuilding/Repair; EPA-450/2-77-022, Control of Volatile Organic Emissions from Solvent Metal Cleaning; EPA-450/3-84-015 Control of Volatile Organic Compound Emissions from Air Oxidation Processes in Synthetic Organic Chemical Manufacturing Industry; EPA-450/4-91-031 Control of Volatile Organic Compound Emissions from Reactor Processes and Distillation Operations in Synthetic Organic Chemical Manufacturing Industry; EPA-453/R-96-007, Wood Furniture.

\* \* \* \* \*

[FR Doc. 2015-08421 Filed 4-10-15; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 52 and 81

[EPA-R03-OAR-2014-0789; FRL-9925-94-Region 3]

### Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Redesignation of the Allentown Nonattainment Area to Attainment for the 2006 24-Hour Fine Particulate Matter Standard

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

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is approving the Commonwealth of Pennsylvania's request to redesignate to attainment the Allentown Nonattainment Area (Allentown Area or Area) for the 2006 24-hour fine particulate matter (PM<sub>2.5</sub>) national ambient air quality standard (NAAQS or standard). EPA has determined that the Allentown Area attained the 2006 24-hour PM<sub>2.5</sub> NAAQS and that it continues to attain the standard. In addition, EPA is approving, as a revision to the Pennsylvania State Implementation Plan (SIP), the Allentown Area maintenance plan to show maintenance of the 2006 24-hour PM<sub>2.5</sub> NAAQS through 2025 for the Area. The maintenance plan includes

the 2017 and 2025 PM<sub>2.5</sub> and nitrogen oxides (NO<sub>x</sub>) mobile vehicle emissions budgets (MVEBs) for the Area for the 2006 24-hour PM<sub>2.5</sub> NAAQS, which EPA is approving for transportation conformity purposes. Furthermore, EPA is approving the 2007 base year emissions inventory, also included in the maintenance plan, for the Area for the 2006 24-hour PM<sub>2.5</sub> NAAQS. These actions are being taken under the Clean Air Act (CAA).

**DATES:** This final rule is effective on April 13, 2015.

**ADDRESSES:** EPA has established a docket for this action under Docket ID Number EPA-R03-OAR-2014-0789. All documents in the docket are listed in the [www.regulations.gov](http://www.regulations.gov) Web site. Although listed in the electronic docket, some information is not publicly available, *i.e.*, confidential business information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically through [www.regulations.gov](http://www.regulations.gov) or in hard copy for public inspection during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the State submittal are available at the Pennsylvania Department of Environmental Protection, Bureau of Air Quality Control, P.O. Box 8468, 400 Market Street, Harrisburg, Pennsylvania 17105.

**FOR FURTHER INFORMATION CONTACT:** Rose Quinto at (215) 814-2182, or by email at [quinto.rose@epa.gov](mailto:quinto.rose@epa.gov).

**SUPPLEMENTARY INFORMATION:**

### I. Background

On September 5, 2014, the Commonwealth of Pennsylvania, through the Pennsylvania Department of Environmental Protection (PADEP), formally submitted a request to redesignate the Allentown Area from nonattainment to attainment for the 2006 24-hour PM<sub>2.5</sub> NAAQS. Concurrently, PADEP submitted a maintenance plan for the Area as a SIP revision to ensure continued attainment throughout the Area over the next 10 years. The maintenance plan includes the 2017 and 2025 PM<sub>2.5</sub> and NO<sub>x</sub> MVEBs for the Area for the 2006 24-hour PM<sub>2.5</sub> NAAQS, which EPA is approving for transportation conformity purposes. PADEP also submitted a 2007 comprehensive emissions inventory that was included in the maintenance plan

for the 2006 24-hour PM<sub>2.5</sub> NAAQS for PM<sub>2.5</sub>, NO<sub>x</sub>, sulfur dioxide (SO<sub>2</sub>), volatile organic compounds (VOC), and ammonia (NH<sub>3</sub>).

On February 4, 2015 (80 FR 6019), EPA published a notice of proposed rulemaking (NPR) for the Commonwealth of Pennsylvania. In the NPR, EPA proposed approval of Pennsylvania's September 5, 2014 request to redesignate the Allentown Area to attainment for the 2006 24-hour PM<sub>2.5</sub> NAAQS. EPA also proposed approval of the associated maintenance plan as a revision to the Pennsylvania SIP for the 2006 24-hour PM<sub>2.5</sub> NAAQS, which includes the 2017 and 2025 for PM<sub>2.5</sub> and NO<sub>x</sub> MVEBs for the 2006 24-hour PM<sub>2.5</sub> NAAQS, which EPA proposed to approve for purposes of transportation conformity. In addition, EPA proposed approval of the 2007 emissions inventory to meet the emissions inventory requirement of section 172(c)(3) of the CAA.

The details of Pennsylvania's submittal and the rationale for EPA's proposed actions are explained in the NPR and will not be restated here. No adverse public comments were received on the NPR.

### II. Final Actions

EPA is taking final actions on the redesignation request and SIP revisions submitted on September 5, 2014 by the Commonwealth of Pennsylvania, through PADEP for the Allentown Area for the 2006 24-hour PM<sub>2.5</sub> NAAQS. First, EPA finds that the monitoring data demonstrates that the Area has attained the 2006 24-hour PM<sub>2.5</sub> NAAQS, and continues to attain the standard. Approval of this redesignation request will change the official designation of the Allentown Area from nonattainment to attainment for the 2006 24-hour PM<sub>2.5</sub> NAAQS. Second, EPA is approving Pennsylvania's redesignation request for the 2006 24-hour PM<sub>2.5</sub> NAAQS, because EPA has determined that the request meets the redesignation criteria set forth in section 107(d)(3)(E) of the CAA for this standard. Third, EPA is approving the associated maintenance plan for the Allentown Area as a revision to the Pennsylvania SIP for the 2006 24-hour PM<sub>2.5</sub> NAAQS because it meets the requirements of section 175A of the CAA. The maintenance plan includes the 2017 and 2025 PM<sub>2.5</sub> and NO<sub>x</sub> MVEBs submitted by Pennsylvania for the Allentown Area for transportation conformity purposes. In addition, EPA is approving the 2007 emissions inventory as meeting the requirement of section 172(c)(3) of the CAA for the standard.

In accordance with 5 U.S.C. 553(d), EPA finds there is good cause for this rulemaking action to become effective immediately upon publication. A delayed effective date is unnecessary due to the nature of a redesignation to attainment, which eliminates CAA obligations that would otherwise apply. The immediate effective date for this rulemaking action is authorized under both 5 U.S.C. 553(d)(1), which provides that rulemaking actions may become effective less than 30 days after publication if the rule "grants or recognizes an exemption or relieves a restriction," and section 553(d)(3), which allows an effective date less than 30 days after publication "as otherwise provided by the agency for good cause found and published with the rule." The purpose of the 30-day waiting period prescribed in section 553(d) is to give affected parties a reasonable time to adjust their behavior and prepare before the final rule takes effect. Today's rulemaking action, however, does not create any new regulatory requirements such that affected parties would need time to prepare before the rule takes effect. Rather, today's rulemaking action relieves the Commonwealth of Pennsylvania of the obligation to comply with nonattainment-related planning requirements for the Area pursuant to part D of the CAA and approves certain emissions inventories and MVEBs for the Area. For these reasons, EPA finds good cause under 5 U.S.C. 553(d) for this rulemaking action to become effective on the date of publication.

### III. Statutory and Executive Order Reviews

#### A. General Requirements

Under the CAA, redesignation of an area to attainment and the accompanying approval of the maintenance plan under CAA 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 required by state law. A redesignation to attainment does not in and of itself impose any new requirements, but rather results in the application of requirements contained in the CAA for areas that have been redesignated to attainment. Moreover, 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 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.

*B. Submission to Congress and the Comptroller General*

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).

*C. Petitions for Judicial Review*

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by June 12, 2015. 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, approving the redesignation request and maintenance plan and comprehensive emissions inventory for the Allentown Area for the 2006 24-hour PM<sub>2.5</sub> NAAQS, may not be challenged later in proceedings to enforce its requirements. *See* section 307(b)(2).

**List of Subjects**

40 CFR part 52

Environmental protection, Air pollution control, Incorporation by reference, Nitrogen oxides, Particulate matter, Reporting and recordkeeping requirements, Sulfur dioxide, Volatile organic compounds.

40 CFR part 81

Air pollution control, National parks, Wilderness areas.

Dated: March 25, 2015.

**William C. Early**,  
*Acting, Regional Administrator, Region III.*

40 CFR parts 52 and 81 are amended as follows:

**PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS**

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

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

**Subpart NN—Pennsylvania**

- 2. In § 52.2020, the table in paragraph (e)(1) is amended by adding an entry for 2006 24-Hour PM<sub>2.5</sub> Maintenance Plan and 2007 Base Year Emissions Inventory at the end of the table to read as follows:

<b>§ 52.2020</b>	<b>Identification of plan.</b>
* * *	* * *
(e) * * *	
(1) * * *	

Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
* * *	* * *	* * *	* * *	* * *
2006 24-Hour PM <sub>2.5</sub> Maintenance Plan and 2007 Base Year Emissions Inventory.	Allentown Area (Lehigh and Northampton Counties).	9/5/14	4/13/15 [Insert <b>Federal Register</b> citation]	See § 52.2036(t) and § 52.2059(o).

- 3. Section 52.2036 is amended by adding paragraph (t) to read as follows:

**§ 52.2036 Base year emissions inventory.**

(t) EPA approves as revisions to the Pennsylvania State Implementation Plan the 2007 base year emissions inventory

for the Allentown 2006 24-hour fine particulate matter (PM<sub>2.5</sub>) nonattainment area submitted by the Pennsylvania Department of Environmental Protection on September 5, 2014. The emissions inventory includes emissions estimates that cover the general source categories of point, area, nonroad, and onroad sources. The pollutants that comprise

the inventory are PM<sub>2.5</sub>, nitrogen oxides (NO<sub>x</sub>), volatile organic compounds (VOCs), ammonia (NH<sub>3</sub>), and sulfur dioxide (SO<sub>2</sub>).

- 4. Section 52.2059 is amended by adding paragraph (o) to read as follows:

**§ 52.2059 Control strategy: Particular matter.**

\* \* \* \* \*

(o) EPA approves the maintenance plan for the Allentown nonattainment area for the 2006 24-hour PM<sub>2.5</sub> NAAQS

submitted by the Commonwealth of Pennsylvania on September 5, 2014. The maintenance plan includes the 2017 and 2025 PM<sub>2.5</sub> and NO<sub>x</sub> mobile vehicle emissions budgets (MVEBs) for

Lehigh and Northampton Counties to be applied to all future transportation conformity determinations and analyses for the Allentown nonattainment area for the 2006 24-hour PM<sub>2.5</sub> NAAQS.

**ALLENTOWN AREA'S MOTOR VEHICLE EMISSION BUDGETS FOR THE 2006 24-HOUR PM<sub>2.5</sub> NAAQS IN TONS PER YEAR**

Type of control strategy SIP	Year	PM <sub>2.5</sub>	NO <sub>x</sub>	Effective date of SIP approval
Maintenance Plan .....	2017 2025	297 234	8,081 5,303	April 13, 2015. April 13, 2015.

**PART 81—DESIGNATION OF AREAS FOR AIR QUALITY PLANNING PURPOSES**

■ 5. The authority citation for part 81 continues to read as follows:

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

■ 6. Section 81.339 is amended under the table entitled “2006 24-Hour PM<sub>2.5</sub> NAAQS” by revising the entries for “Allentown, PA” to read as follows:

[Primary and secondary]

**§ 81.339 Pennsylvania**

\* \* \* \* \*

**PENNSYLVANIA—2006 24-Hour PM<sub>2.5</sub> NAAQS**

Designated area	Designation <sup>a</sup>		Classification	
	Date <sup>1</sup>	Type	Date <sup>2</sup>	Type
* * * * *				
Allentown, PA:				
Lehigh County .....	April 13, 2015 .....	Attainment		
Northampton County .....	April 13, 2015 .....	Attainment		
* * * * *				

<sup>a</sup> Includes Indian Country located in each county or area, except as otherwise specified.

<sup>1</sup> This date is 30 days after November 13, 2009, unless otherwise noted.

<sup>2</sup> This date is July 2, 2014, unless otherwise noted.

\* \* \* \* \*

[FR Doc. 2015-08164 Filed 4-10-15; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION**

**Office of the Secretary**

**49 CFR Part 40**

[Docket No. OST-2015-0045]

RIN 2105-AE35

**Use of Electronic Chain of Custody and Control Form in DOT-Regulated Drug Testing Programs**

**AGENCY:** Office of the Secretary of Transportation (OST), U.S. Department of Transportation (DOT).

**ACTION:** Final rule.

**SUMMARY:** This action amends the U.S. Department of Transportation’s (DOT) regulations to incorporate changes to the Substance Abuse and Mental Health Services Administration’s (SAMHSA) chain of custody and control form (CCF) recently approved by the Office of Management and Budget (OMB). Specifically, this rulemaking expands

the DOT’s definition of the CCF to include both paper and electronic forms.

**DATES:** This final rule is effective on *April 13, 2015*.

**FOR FURTHER INFORMATION CONTACT:** For technical questions about this action, contact Mark Snider, Office of Drug and Alcohol Policy and Compliance, 1200 New Jersey Ave. SE., Washington, DC 20590; telephone: (202) 366-3784; email: *ODAPCWebMail@dot.gov*.

**SUPPLEMENTARY INFORMATION:**

**Good Cause for Immediate Adoption**

Section 553(b)(3)(B) of title 5, U.S. Code, authorizes agencies to dispense with notice and comment procedures for rules when the agency for “good cause” finds that those procedures are “impracticable, unnecessary, or contrary to the public interest.” In this instance, the DOT finds that notice and public comment to this immediately adopted final rule, as well as any delay in the effective date of this rule, is unnecessary, given that the electronic CCF (eCCF) has been approved for use by OMB and the DOT is bound by statute to follow SAMHSA’s chain of

custody and control procedures, to include use of an OMB-approved CCF.

**I. Authority for This Rulemaking**

This rulemaking is promulgated pursuant to the Omnibus Transportation Employee Testing Act (OTETA) of 1991 (Pub. L. 102-143, 105 Stat. 952, (Oct. 28, 1991)).

**II. Background**

The Federal Workplace Drug Testing Program was established by Executive Order 12564 on September 15, 1986, and further mandated by Congress in section 503 of Public Law 100-71 (July 11, 1987). The Department of Health and Human Services (HHS), in developing the program, created a comprehensive set of standards for the Federal workplace drug testing program, including chain of custody procedures designed to ensure the integrity and security of specimens from the time the specimen is collected until the time the testing results are reported by the laboratory. To satisfy the congressional mandate, HHS first issued its mandatory guidelines on April 11, 1988, and in doing so, created the uniform CCF. The CCF is the tool by which agencies and