

and R-5601F eastern boundaries, extending upward from 40,000 feet MSL to 60,000 feet MSL. Again, the altitudes are defined relative to MSL to highlight that the restricted area is to be used for other than aircraft operations.

The time of designation for R-5602A and R-5602B is "By NOTAM 0830-1630, Monday-Friday; other times by NOTAM." The expected usage for R-5602A is approximately 8 hours per day most weekdays, consistent with in-garrison training requirements. The expected usage for R-5602B is approximately 25 days per year.

During times when the restricted areas are not needed by the using agency, the airspace will be returned to the FAA controlling agency, Fort Worth Air Route Traffic Control Center (ARTCC), and will be available for access by other airspace users.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action establishing two restricted areas, R-5602A and R-5602B, which partially overlay portions of the R-5601 restricted area complex at Fort Sill, OK, qualifies for FAA adoption in accordance with FAA Order 1050.1F, paragraphs 8-2 and 9-2, *Adoption of Other Agencies' National Environmental Policy Act Documents, and Written Re-evaluations*, and 7400.2L, paragraph 32-2-3. The purpose of creating and utilizing the restricted areas is to safely segregate private and commercial aircraft from above-the-horizon hazardous laser activities while supporting the U.S. Army emerging high trajectory kinetic and directed energy laser weapons training mission. The FAA, after conducting an independent review and

evaluation of the United States Army's April 2018 Final Supplemental Environmental Assessment for the Permanent Creation and Utilization of Restricted Areas R-5602A and R-5602B at Fort Sill, Oklahoma, has determined that the Army's Final Supplemental EA and its supporting documentation adequately assesses and discloses the environmental impacts of the proposed action. Based on the evaluation for potential environmental impact in the above-mentioned Supplemental EA, the FAA, as the Cooperating Agency, concluded that adoption of the EA for the Permanent Creation and Utilization of Restricted Area R-5602A/B is authorized in accordance with 40 CFR 1506.3. *Adoption.* Accordingly, FAA adopts the Army's Supplemental EA and is issuing a Finding of No Significant Impact and Record of Decision (FONSI/ROD) for the project as a Cooperating Agency. The FONSI/ROD documents the FAA's determination that the project, as proposed, would not result in significant impacts to the human environment and that an Environmental Impact Statement (EIS) is therefore not necessary. A copy of the Supplemental EA and FONSI/ROD is available upon request by contacting Gregory L. Hines, Operations Support Group, Central Service Center, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, Texas 76177, telephone: (817) 222-5866.

List of Subjects in 14 CFR Part 73

Airspace, Prohibited areas, Restricted areas.

The Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 73 as follows:

PART 73—SPECIAL USE AIRSPACE

- 1. The authority citation for part 73 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

§ 73.56 [Amended]

- 2. Section 73.56 is amended as follows:

* * * * *

R-5602A Fort Sill, OK [New]

Boundaries. Beginning at lat. 34°46'45" N, long. 98°17'01" W; to lat. 34°38'15" N, long. 98°17'01" W; to lat. 34°38'15" N, long. 98°37'57" W; to lat. 34°40'54" N, long. 98°37'56" W; to lat. 34°42'07" N, long. 98°37'20" W; to lat. 34°43'21" N, long. 98°36'02" W; to lat. 34°43'30" N, long. 98°35'40" W; to lat. 34°45'03" N, long. 98°29'46" W; to lat. 34°46'15" N, long.

98°25'01" W; to lat. 34°47'00" N, long. 98°17'46" W; to the point of beginning.

Designated altitudes. 40,000 feet MSL to 60,000 feet MSL.

Time of designation. By NOTAM 0830-1630, Monday-Friday; other times by NOTAM.

Controlling agency. FAA, Fort Worth ARTCC.

Using agency. U.S. Army, Commanding General, U.S. Army Fires Center of Excellence (USAFCE) and Fort Sill, Fort Sill, OK.

R-5602B Fort Sill, OK [New]

Boundaries. Beginning at lat. 34°49'30" N, long. 98°08'43" W; to lat. 34°36'36" N, long. 98°08'43" W; to lat. 34°38'15" N, long. 98°17'01" W; to lat. 34°46'06" N, long. 98°17'01" W; to the point of beginning.

Designated altitudes. 40,000 feet MSL to 60,000 feet MSL.

Time of designation. By NOTAM 0830-1630, Monday-Friday; other times by NOTAM.

Controlling agency. FAA, Fort Worth ARTCC.

Using agency. U.S. Army, Commanding General, U.S. Army Fires Center of Excellence (USAFCE) and Fort Sill, Fort Sill, OK.

Issued in Washington, DC, on July 2, 2018.

Rodger A. Dean Jr.,

Manager, Airspace Policy Group.

[FR Doc. 2018-14783 Filed 7-10-18; 8:45 am]

BILLING CODE 4910-13-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R03-OAR-2011-0511; FRL-9980-36—Region 3]

Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Revised Motor Vehicle Emission Budgets for the Charleston, Huntington, Parkersburg, Weirton, and Wheeling 8-Hour Ozone Maintenance Areas; Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; correcting amendment.

SUMMARY: This document corrects an error in the language of a final rule pertaining to Environmental Protection Agency (EPA)'s approval of the revised motor vehicle emissions budgets for the Charleston, Huntington, Parkersburg, Weirton, and Wheeling 8-hour ozone maintenance areas. The previous rulemaking amended the maintenance plans' 2009 and 2018 motor vehicle emissions budgets (MVEBs) submitted by the State of West Virginia.

DATES: This final correcting amendment is effective on July 11, 2018.

FOR FURTHER INFORMATION CONTACT:

Gregory Becoat, (215) 814–2046 or by email at becoat.gregory@epa.gov.

SUPPLEMENTARY INFORMATION: On September 15, 2011 (76 FR 56795), EPA published a direct final rulemaking action announcing the approval of revised mobile emissions budgets for the Charleston, Huntington, Parkersburg, Weirton, and Wheeling 8-hour ozone maintenance areas. In the **Federal Register** document at 76 FR 56795, EPA inadvertently approved incorrect emissions budgets for the Charleston and Wheeling maintenance areas. The correct budgets EPA meant to include were the budgets in West Virginia's 2011 submission, available in the docket for this rulemaking action and at www.regulations.gov.

On December 22, 2011 (76 FR 79539), EPA published a correction notice; however, the incorrect emissions budgets for the Charleston and Wheeling maintenance areas were still inadvertently included again in 40 CFR 52.2532. The intent of this rulemaking notice is to correct those emissions budgets in 40 CFR 52.2532. This action corrects the erroneous language. EPA does not expect adverse comments on this document as we are simply correcting a technical error in the MVEBs table previously approved on December 22, 2011 in 76 FR 79539. The Charleston maintenance area (Kanawha and Putnam Counties) MVEBs for 2018 volatile organic compounds (VOCs) were previously 13.5 tons per day (tpd) and are being corrected to 13.7 tpd. The Wheeling maintenance area (Marshall and Ohio Counties) MVEBs for 2018 VOCs were previously 7.7 tpd and are being corrected to 9.1 tpd.

In the rulemaking published in the **Federal Register** on December 22, 2011 in 76 FR 79539 on page 79541 paragraphs 52.2532(a) and (e) are corrected. Section 553 of the Administrative Procedure Act, 5 U.S.C. 553(b)(3)(B), provides that, when an agency for good cause finds that notice and public procedure are impracticable, unnecessary or contrary to the public interest, the agency may issue a rule without providing notice and an opportunity for public comment. EPA has determined that there is good cause for making this rule final without prior proposal and opportunity for comment because we are merely correcting an incorrect citation in a previous action. Thus, notice and public procedure are unnecessary. EPA finds that this constitutes good cause under 5 U.S.C. 553(b)(3)(B).

Statutory and Executive Order Reviews

Under Executive Order (E.O.) 12866 (58 FR 51735, October 4, 1993), this action is not a significant regulatory action and is therefore not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, “Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use” (66 FR 28355 (May 22, 2001)). Because the agency has made a good cause finding that this action is not subject to notice-and-comment requirements under the Administrative Procedures Act or any other statute as indicated in the Supplementary Information section above, it is not subject to the regulatory flexibility provisions of the Regulatory Flexibility Act (5 U.S.C 601 *et seq.*), or to sections 202 and 205 of the Unfunded Mandates Reform Act of 1995 (UMRA) (Pub. L. 104–4). In addition, this action does not significantly or uniquely affect small governments or impose a significant intergovernmental mandate, as described in sections 203 and 204 of UMRA. This rule also does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), nor will it have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of governments, as specified by Executive Order 13132 (64 FR 43255, August 10, 1999). This rule also is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it is not economically significant.

This technical correction action does not involve technical standards; thus the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. The rule also does not involve special consideration of environmental justice related issues as required by Executive Order 12898 (59 FR 7629, February 16, 1994). In issuing this rule, EPA has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct, as required by section 3 of Executive Order 12988 (61 FR 4729, February 7, 1996). EPA has complied with Executive Order 12630 (53 FR 8859, March 15, 1998) by examining the takings implications of

the rule in accordance with the Attorney General's Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings issued under the executive order. This rule does not impose an information collection burden under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

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. Section 808 allows the issuing agency to make a rule effective sooner than otherwise provided by the CRA if the agency makes a good cause finding that notice and public procedure is impracticable, unnecessary or contrary to the public interest. This determination must be supported by a brief statement. 5 U.S.C. 808(2). As stated previously, EPA had made such a good cause finding, including the reasons therefore, and established an effective date of July 11, 2018.

EPA will submit a report containing this rule 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**. This correction to 40 CFR 52.2532 for West Virginia 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, Incorporation by reference, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: June 21, 2018.

Cosmo Servidio,

Regional Administrator, Region III.

40 CFR part 52 is 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 XX—West Virginia

- 2. In § 52.2532, paragraphs (a) and (e) are revised to read as follows:

§ 52.2532 Motor vehicle emissions budgets. emissions budgets (MVEBs) for the Charleston, West Virginia 8-hour ozone maintenance area submitted by the Secretary of the Department of Environmental Protection on March 14, 2011:
 (a) EPA approves the following revised 2009 and 2018 motor vehicle

Applicable geographic area	Year	Tons per day (tpd) VOC	Tons per day (tpd) NO _x
Charleston Area (Kanawha and Putnam Counties)	2009	16.7	38.9
Charleston Area (Kanawha and Putnam Counties)	2018	13.7	17.1

* * * * *
 (e) EPA approves the following revised 2009 and 2018 motor vehicle emissions budgets (MVEBs) for the Wheeling, West Virginia 8-hour ozone maintenance area submitted by the Secretary of the Department of Environmental Protection on March 14, 2011:

Applicable geographic area	Year	Tons per day (tpd) VOC	Tons per day (tpd) NO _x
Wheeling Area (Marshall and Ohio Counties)	2009	10.4	9.1
Wheeling Area (Marshall and Ohio Counties)	2018	9.1	3.1

* * * * *
 [FR Doc. 2018-14743 Filed 7-10-18; 8:45 am]
BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 81

[EPA-R09-OAR-2018-0181; FRL-9980-49-Region 9]

Approval and Promulgation of Air Quality State Implementation Plans; California; Chico Redesignation Request and Maintenance Plan for the 2006 24-Hour PM_{2.5} Standard

AGENCY: Environmental Protection Agency (EPA).
ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking final action to approve, as a revision of the California state implementation plan (SIP), the State’s request to redesignate the Chico nonattainment area to attainment for the 2006 24-hour fine particulate matter (PM_{2.5}) National Ambient Air Quality Standard (NAAQS or “standard”). The EPA is also taking final action to approve the PM_{2.5} maintenance plan and the determination that contributions from motor vehicle emissions in the Chico nonattainment area are insignificant. The EPA is approving this revision because it meets the requirements of the Clean Air Act (CAA or “the Act”) and EPA guidance for such plans.

DATES: This rule is effective on August 10, 2018.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA-R09-OAR-2018-0181. All documents in the docket are listed on

the <http://www.regulations.gov> website. Although listed in the index, some information is not publicly available, e.g., 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 through <http://www.regulations.gov>, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information.
FOR FURTHER INFORMATION CONTACT: Ginger Vagenas, Air Planning Office (AIR-2), Environmental Protection Agency, Region IX, (415) 972-3964, vagenas.ginger@epa.gov.

SUPPLEMENTARY INFORMATION: Throughout this document, “we,” “us,” or “our” refer to the EPA.

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I. Background

On July 18, 1997, the EPA established the first air quality standards for PM_{2.5}.¹ The EPA promulgated an annual standard at a level of 15.0 micrograms per cubic meter (µg/m³) based on a 3-year average of annual mean PM_{2.5} concentrations. In the same rulemaking, the EPA promulgated a 24-hour standard of 65 µg/m³ based on a 3-year average of the 98th percentile of 24-hour concentrations. On October 17, 2006, the EPA retained the annual average

NAAQS at 15.0 µg/m³ but revised the 24-hour PM_{2.5} NAAQS to 35 µg/m³, based on the 3-year average of the 98th percentile of 24-hour concentrations.²

Effective December 14, 2009, the EPA established initial air quality designations under subpart 1 of the Act for most areas in the United States for the 2006 24-hour PM_{2.5} NAAQS, including the Chico area.³ Under subpart 1, within three years of the effective date of designations, states with areas designated as nonattainment for the 2006 24-hour PM_{2.5} NAAQS are required to submit SIP revisions that, among other elements, provide for implementation of reasonably available control measures (RACM), reasonable further progress (RFP), attainment of the standard as expeditiously as practicable but no later than five years from the nonattainment designation (in this instance, no later than December 14, 2014), as well as contingency measures.⁵ ⁶ Prior to the due date for

² 71 FR 61144.

³ All 1997 and 2006 PM_{2.5} NAAQS areas were designated under subpart 1 of the Act. Subpart 1 contains the general requirements for nonattainment areas for any pollutant governed by a NAAQS and is less prescriptive than the other subparts of title I, part D. See 74 FR 58688 (November 13, 2009).

⁴ The boundaries for this area are described in 40 CFR 81.305.

⁵ See CAA sections 172(a)(2), 172(c)(1), 172(c)(2), and 172(c)(9).

⁶ In response to a decision issued by the D.C. Circuit (*Natural Resources Defense Council v. EPA*, 706 F.3d 428 (D.C. Cir. 2013)), the EPA subsequently identified all PM_{2.5} nonattainment areas for the 1997 and 2006 NAAQS as “moderate” nonattainment areas under subpart 4 and established a new SIP submission date of December 31, 2014, for moderate area attainment plans and for any additional attainment-related or nonattainment new source review plans necessary for areas to comply with the requirements applicable under subpart 4. We also noted that the moderate area

¹ 62 FR 38652.