

## EPA-APPROVED SOUTH CAROLINA NON-REGULATORY PROVISIONS—Continued

Provision	State effective date	EPA approval date	Explanation
110(a)(1) and (2) Infrastructure Requirements for the 2012 Annual PM <sub>2.5</sub> NAAQS.	12/18/2015	9/24/2018, [Insert citation of publication].	Addressing prong 4 of section 110(a)(2)(D)(i)(II) only.
Regional Haze Plan Revision ..	9/5/2017	9/24/2018, [Insert citation of publication].	
<b>§ 52.2127 [Removed and Reserved]</b>		<b>Subpart RR—Tennessee</b>	Infrastructure Requirements for the 2012 Annual PM <sub>2.5</sub> NAAQS” and “Regional Haze Plan Revision” at the end of the table in paragraph (e) to read as follows:
■ 3. Section 52.2127 is removed and reserved.		■ 5. Section 52.2220 is amended by adding entries for “110(a)(1) and (2) Infrastructure Requirements for the 2010 1-hour NO <sub>2</sub> NAAQS”, “110(a)(1) and (2) Infrastructure Requirements for the 2010 1-hour SO <sub>2</sub> NAAQS”, “110(a)(1) and (2)	<b>§ 52.2220 Identification of plan.</b>
<b>§ 52.2132 [Removed and Reserved]</b>			* * * * *
■ 4. Section 52.2132 is removed and reserved.			(e) * * *

## EPA-APPROVED TENNESSEE NON-REGULATORY PROVISIONS

Name of non-regulatory SIP provision	Applicable geographic or nonattainment area	State effective date	EPA approval date	Explanation
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110(a)(1) and (2) Infrastructure Requirements for the 2010 1-hour NO <sub>2</sub> NAAQS.	Tennessee .....	3/13/2014	9/24/2018, [Insert citation of publication].	Addressing prong 4 of section 110(a)(2)(D)(i)(II) only.
110(a)(1) and (2) Infrastructure Requirements for the 2010 1-hour SO <sub>2</sub> NAAQS.	Tennessee .....	3/13/2014	9/24/2018, [Insert citation of publication].	Addressing prong 4 of section 110(a)(2)(D)(i)(II) only.
110(a)(1) and (2) Infrastructure Requirements for the 2012 Annual PM <sub>2.5</sub> NAAQS.	Tennessee .....	12/16/2015	9/24/2018, [Insert citation of publication].	Addressing prong 4 of section 110(a)(2)(D)(i)(II) only.
Regional Haze Plan Revision .....	Tennessee .....	11/22/2017	9/24/2018, [Insert citation of publication].	

**§ 52.2219 [Removed and Reserved]**

■ 6. Section 52.2219 is removed and reserved.

**§ 52.2234 [Removed and Reserved]**

■ 7. Sections 52.2234 is removed and reserved.

[FR Doc. 2018–20621 Filed 9–21–18; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 52**

[EPA–R10–OAR–2018–0509; FRL–9984–29—Region 10]

**Air Plan Approval; Idaho; Interstate Transport Requirements for the 2012 PM<sub>2.5</sub> NAAQS**

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

**ACTION:** Final rule.

**SUMMARY:** The Clean Air Act (CAA) requires each State Implementation Plan

(SIP) to contain adequate provisions prohibiting emissions that will have certain adverse air quality effects in other states. On December 23, 2015, the State of Idaho made a submission to the Environmental Protection Agency (EPA) to address these requirements. The EPA is approving the submission as meeting the requirement that each SIP contain adequate provisions to prohibit emissions that will contribute significantly to nonattainment or interfere with maintenance of the 2012 annual fine particulate matter (PM<sub>2.5</sub>) national ambient air quality standard (NAAQS) in any other state.

**DATES:** This final rule is effective October 24, 2018.

**ADDRESSES:** The EPA has established a docket for this action under Docket ID No. EPA–R10–OAR–2018–0509. All documents in the docket are listed on the <https://www.regulations.gov> website. Although listed in the index, some information is not publicly available, e.g., CBI or other information the disclosure of which is restricted by

statute. Certain other material, such as copyrighted material, is not placed on the internet and is publicly available only in hard copy form. Publicly available docket materials are available at <https://www.regulations.gov>, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information.

**FOR FURTHER INFORMATION CONTACT:** Jeff Hunt at (206) 553–0256, or [hunt.jeff@epa.gov](mailto:hunt.jeff@epa.gov).

**SUPPLEMENTARY INFORMATION:**

Throughout this document wherever “we,” “us,” or “our” is used, it is intended to refer to the EPA.

**I. Background Information**

On July 18, 2018, the EPA proposed to approve Idaho as meeting the requirement that each SIP contain adequate provisions to prohibit emissions that will contribute significantly to nonattainment or interfere with maintenance of the 2012 PM<sub>2.5</sub> NAAQS in any other state (83 FR

33892). An explanation of the Clean Air Act requirements, a detailed analysis of the submittal, and the EPA's reasons for proposing approval were provided in the notice of proposed rulemaking, and will not be restated here. The public comment period for the proposal ended August 17, 2018.

## II. Response to Comments

We received two comments on the rulemaking. After reviewing the comments, we have determined that the comments are outside the scope of our proposed action and fail to identify any material issue necessitating a response. For more information, please see our memorandum included in the docket for this action.

## III. Final Action

The EPA is approving Idaho's December 23, 2015, submission certifying that the SIP is sufficient to meet the interstate transport requirements of Clean Air Act section 110(a)(2)(D)(i)(I), specifically prongs one and two, as set forth in the proposed rulemaking for this action.

## IV. 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 Clean Air Act and applicable federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the 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 that reason, this action:

- is not a "significant regulatory action" subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- Is not an Executive Order 13771 (82 FR 9339, February 2, 2017) regulatory action because actions such as SIP approvals are exempted under Executive Order 12866;
- 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 this action does not involve technical standards; and
- does not provide the 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).

The SIP is not approved to apply on any Indian reservation land and is also not approved to apply in any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

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. The 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 November 23, 2018. 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)).

## 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.

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

Dated: September 5, 2018.

**Chris Hladick,**

*Regional Administrator, Region 10.*

For the reasons set forth in the preamble, 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 N—Idaho

- 2. In § 52.670, paragraph (e) is amended by adding an entry at the end of the table for "Interstate Transport Requirements for the 2012 PM<sub>2.5</sub> NAAQS" to read as follows:

#### § 52.670 Identification of plan.

\* \* \* \* \*

(e) \* \* \*

## EPA-APPROVED IDAHO NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES

Name of SIP provision	Applicable geographic or nonattainment area	State submittal date	EPA approval date	Comments
Interstate Transport Requirements for the 2012 PM <sub>2.5</sub> NAAQS.	State-wide	12/23/2015	9/24/2018, [Insert Federal Register citation].	This action addresses CAA 110(a)(2)(D)(i)(I).

[FR Doc. 2018–20616 Filed 9–21–18; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 52****[EPA–R07–OAR–2018–0211; FRL–9984–22–Region 7]****Air Plan Approval; Missouri; Regional Haze Plan and Prong 4 (Visibility) for the 2012 PM<sub>2.5</sub>, 2010 NO<sub>2</sub>, 2010 SO<sub>2</sub>, and 2008 Ozone NAAQS****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is taking several final actions regarding the Missouri State Implementation Plan (SIP). Three SIP actions relate to how the state addresses transport as related to visibility impairment in Class 1 areas and the 2012 Fine Particulate Matter (PM<sub>2.5</sub>), 2010 Nitrogen Dioxide (NO<sub>2</sub>), 2010 Sulfur Dioxide (SO<sub>2</sub>), and 2008 Ozone National Ambient Air Quality Standards (NAAQS): The EPA is approving the portion of the state's September 5, 2014 Five-year Progress Report for the State of Missouri Regional Haze Plan and a subsequently submitted letter dated July 31, 2017, which clarified that the state was changing from reliance on the Clean Air Interstate Rule (CAIR) to reliance on the Cross State Air Pollution Rule (CSAPR) for certain regional haze requirements; the EPA is converting its limited approval/limited disapproval of the state's Regional Haze Plan to a full approval; and the EPA is approving the states' submissions addressing the Clean Air Act (CAA or the Act) provisions that prohibit emissions activity in one state from interfering with measures to protect visibility in another state (prong 4) of the state's infrastructure SIP submittals for the 2008 Ozone, the 2010 Nitrogen Dioxide (NO<sub>2</sub>), the 2010 Sulfur Dioxide (SO<sub>2</sub>), and the 2012 Fine Particulate Matter (PM<sub>2.5</sub>) NAAQS. Finally, based on EPA's approval of the portion of the state's September 5, 2014,

Five-year Progress Report that clarified that the state was changing from reliance on CAIR to reliance on CSAPR for certain regional haze requirements and conversion of its limited approval/limited disapproval of the state's Regional Haze Plan to a full approval, the EPA is withdrawing the June 7, 2012, Federal Implementation Plan (FIP) for regional haze.

**DATES:** This final rule is effective on October 24, 2018.

**ADDRESSES:** The EPA has established a docket for this action under Docket ID No EPA–R07–OAR–2018–0211. All documents in the docket are listed on the <https://www.regulations.gov> website. Although listed in the index, some information is not publicly available, *i.e.*, 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 <https://www.regulations.gov> or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional information.

**FOR FURTHER INFORMATION CONTACT:** Tracey Casburn, Environmental Protection Agency, Air Planning and Development Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219 at (913) 551–7016, or by email at [casburn.tracey@epa.gov](mailto:casburn.tracey@epa.gov).

**SUPPLEMENTARY INFORMATION:**

Throughout this document “we,” “us,” and “our” refer to the EPA. This section provides additional information by addressing the following:

- I. Background Information
- II. Have the requirements for approval of the SIP submittals been met?
  - a. 2008 Ozone NAAQS
  - b. 2010 NO<sub>2</sub> NAAQS
  - c. 2010 SO<sub>2</sub> NAAQS
  - d. 2012 PM<sub>2.5</sub> NAAQS
  - e. Regional Haze Five-Year Progress Report
- III. The EPA's Response to Comments
- IV. What action is the EPA taking?
- V. Statutory and Executive Order Reviews

**I. Background Information**

On May 3, 2018, the EPA proposed to approve the state's change from a reliance on CAIR to a reliance on CSAPR to meet certain Regional Haze planning obligations; to convert the EPA's limited approval/limited disapproval of the state's Regional Haze Plan to a full approval; to approve the prong 4 elements of the state's 2008 Ozone, 2010 NO<sub>2</sub>, 2010 SO<sub>2</sub> and 2012 PM<sub>2.5</sub> NAAQS infrastructure SIP submittals; and to remove EPA's existing regional haze FIP from 40 CFR 52.1339(c) and (d). *See* 83 FR 19479. The EPA received six sets of comments prior to the close of the comment period; all six sets of comments were not directly related to the action. The EPA's rationale for approving those SIP submissions, was provided in the proposal action and will not be restated here. *See* 83 FR 19479.

**II. Have the requirements for approval of the SIP submittals been met?***a. 2008 Ozone NAAQS*

The state's submission met the public notice requirements for the Ozone infrastructure SIP submission in accordance with 40 CFR 51.102. The state held a public comment period from April 30, 2013, to June 6, 2013. The EPA provided comments on May 23, 2013, and was the only commenter. A public hearing was held on May 30, 2013. The submission satisfied the completeness criteria of 40 CFR part 51, appendix V, for all elements except 110(a)(2)(D)(i)(I)—significant contribution to nonattainment (prong 1), interfering with maintenance of the NAAQs (prong 2). The EPA published a document in the **Federal Register**, “*Findings of Failure to Submit a Section 110 State Implementation Plan for Interstate Transport for the 2008 National Ambient Air Quality Standards for Ozone*”.<sup>1</sup> The state was included in this finding because it had not made a complete “good neighbor” SIP submittal to meet the prong 1 and 2 elements.

<sup>1</sup> See 80 FR 39961 (August 12, 2015).