

Species	Size	Limits
Early-run Chinook salmon	Less than 46 inches or 55 inches and longer.	2 per day and 2 in possession.
Late-run Chinook salmon	20 inches and longer	2 per day and 2 in possession.
All other salmon	16 inches and longer	6 per day and 6 in possession, of which no more than 4 per day and 4 in possession may be Coho salmon, except for the Sanctuary Area and Russian River where no more than 2 per day and 2 in possession may be Coho salmon.

(i) In the Kenai River below Skilak Lake, fishing is allowed with up to two baited single or treble hooks June 15 through August 31.

(ii) Annual harvest limits for any combination of early- and late-run Chinook salmon are four for each permit holder.

(iii) Incidentally caught fish, other than salmon, are subject to regulations

found in paragraph (e)(10)(iii)(D) of this section.

(D) *Kenai River and tributaries under ice jigging and rod and reel; resident species.*

(1) For Federally managed waters of the Kenai River and its tributaries below Skilak Lake outlet at river mile 50, you may take resident fish species including lake trout, rainbow trout, and Dolly

Varden or Arctic char with jigging gear through the ice or rod and reel gear in open waters. Seasons, areas, harvest and possession limits, and methods and means for take are the same as for the taking of these resident species under State of Alaska fishing regulations (5 AAC 56, 5 AAC 57, and 5 AAC 77.540), except for the following harvest and possession limits:

Species	Specifications	Limits
Lake trout	20 inches or longer Less than 20 inches	4 per day and 4 in possession. 15 per day and 15 in possession.
Dolly Varden or Arctic char	In flowing waters In lakes and ponds	For fish less than 18 inches, 1 per day and 1 in possession. 2 per day and 2 in possession, of which only one may be 20 inches or longer, may be harvested daily.
Rainbow or steelhead trout	In flowing waters In lakes and ponds	For fish less than 18 inches in length, 1 per day and 1 in possession. 2 per day and 2 in possession, of which only one fish 20 inches or longer may be harvested daily.

(2) For Federally managed waters of the upper Kenai River and its tributaries above Skilak Lake outlet at river mile 50, you may take resident fish species including lake trout, rainbow trout, and

Dolly Varden or Arctic char with jigging gear through the ice or rod and reel gear in open waters. Seasons, areas, harvest and possession limits, and methods and means for take are the same as for the

taking of these resident species under Alaska fishing regulations (5 AAC 56, 5 AAC 57, 5 AAC 77.540), except for the following harvest and possession limits:

Species	Specifications	Limits
Lake trout	20 inches or longer Less than 20 inches From Hidden Lake	4 per day and 4 in possession. 15 per day and 15 in possession. 2 per day and 2 in possession regardless of length.
Dolly Varden or Arctic char	In flowing waters In lakes and ponds	For fish less than 16 inches in length, 1 per day and 1 in possession. 2 per day and 2 in possession, of which only one fish 20 inches or longer may be harvested daily.
Rainbow or steelhead trout	In flowing waters In lakes and ponds	For fish less than 16 inches in length, 1 per day and 1 in possession. 2 per day and 2 in possession, of which only one fish 20 inches or longer may be harvested daily.

* * * * *

Dated: September 25, 2018.

Thomas C.J. Doolittle,

Acting Assistant Regional Director, U.S. Fish and Wildlife Service.

Dated: September 25, 2018.

Thomas Whitford,

Subsistence Program Leader, USDA-Forest Service.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R04-OAR-2018-0531; FRL-9984-83-Region 4]

Air Plan Approval; North Carolina; Ozone NAAQS Update

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve a State Implementation Plan (SIP) revision submitted by the State of North

Carolina through the North Carolina Division of Air Quality (NCDAQ) with a letter dated March 21, 2018. The SIP submittal includes changes to the State's air quality rules for ozone to be consistent with the National Ambient Air Quality Standards (NAAQS). EPA is proposing to approve these provisions of the SIP revision because the State has demonstrated that these changes are consistent with the Clean Air Act (CAA or Act) and federal regulations. **DATES:** Comments must be received on or before October 31, 2018.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-R04-OAR-2018-0531 at <https://www.regulations.gov>. Follow the online

instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.* on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www2.epa.gov/dockets/commenting-epa-dockets>.

FOR FURTHER INFORMATION CONTACT:

Tiereny Bell, Air Regulatory Management Section, Air Planning and Implementation Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW, Atlanta, Georgia 30303–8960. The telephone number is (404) 562–9088. Ms. Bell can also be reached via electronic mail at bell.tiereny@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Background

Sections 108 and 109 of the CAA govern the establishment, review, and revision, as appropriate, of the NAAQS to protect public health and welfare. The CAA requires periodic review of the air quality criteria—the science upon which the standards are based—and the standards themselves. EPA’s regulatory provisions that govern the NAAQS are found at 40 CFR 50—*National Primary and Secondary Ambient Air Quality Standards*. In this rule, EPA is proposing to approve revisions to the North Carolina air quality rules addressing Rule 15A NCAC 02D .0405, *Ozone*, in the North Carolina SIP. EPA notes that the cover letter was dated March 21, 2018.¹ Rule 15A NCAC 02D.0405 is amended by updating air quality standards to reflect the most recent ozone NAAQS as well as making textual modifications in the following manner: Removing 0.075 parts per million (ppm) and replacing it with 0.070 ppm; deleting “8-hour” and replacing it with “eight-hour”; deleting

the word “is” and replacing it with “shall be” and later “shall be deemed”; and deleting Appendix P, which referenced the 2008 Ozone Standard, and replacing it with Appendix U, which references the 2015 Ozone Standard. The SIP submission amending the North Carolina regulations to incorporate the most recent ozone NAAQS can be found in the docket for this rulemaking at www.regulations.gov and is summarized below.

II. EPA’s Analysis of North Carolina’s Submittal

On October 26, 2015, EPA promulgated revised 8-hour primary and secondary ozone NAAQS, strengthening both from 0.075 ppm to 0.070 ppm (the 2015 8-hour Ozone NAAQS). See 80 FR 65292. Accordingly, in the March 21, 2018, SIP submission, North Carolina revised Rule 15A NCAC 02D .0405, “Ozone,” by updating the State’s air quality standard to be consistent with the 2015 8-hour Ozone NAAQS promulgated by EPA in 2015. EPA is proposing to approve this change because it is consistent with the CAA and Federal regulations.

III. Incorporation by Reference

In this rule, EPA is proposing to include in a final EPA rule regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, EPA is proposing to incorporate by reference the NCDAQ Rule 15A NCAC 02D .0405 entitled “Ozone,” state effective January 1, 2018, which revises the ozone standard to be consistent with the 2015 ozone NAAQS. EPA has made, and will continue to make, these materials generally available through www.regulations.gov and at the EPA Region 4 office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

IV. Proposed Action

EPA is proposing to approve the State of North Carolina’s March 21, 2018, SIP submission identified in sections I and II above, because these changes are consistent with the CAA and federal regulations.

V. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. See 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. 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 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 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 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).
- The SIP is not approved to apply on any Indian reservation land or in any other area where 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), nor will it impose substantial direct costs on tribal governments or preempt tribal law.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by

¹ The submittal date is the date of receipt by EPA, which was April 4, 2018.

reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

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

Dated: September 19, 2018.

Onis “Trey” Glenn, III,
Regional Administrator, Region 4.

[FR Doc. 2018–21328 Filed 9–28–18; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 82

[EPA–HQ–OAR–2017–0629; FRL–9984–55–OAR]

RIN 2060–AT81

Protection of Stratospheric Ozone: Revisions to the Refrigerant Management Program’s Extension to Substitutes

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Clean Air Act (CAA) prohibits knowingly venting or releasing ozone-depleting and substitute refrigerants in the course of maintaining, servicing, repairing, or disposing of appliances or industrial process refrigeration. On November 18, 2016, EPA finalized a rule that updated the existing refrigerant management requirements and extended requirements that previously applied only to refrigerants containing an ozone-depleting substance (ODS) to substitute refrigerants such as hydrofluorocarbons that are subject to the venting prohibition (*i.e.*, those that have not been exempted from that prohibition). The Agency is revisiting the aspects of the 2016 Rule that apply to equipment containing such substitute refrigerants. This action proposes changes to the legal interpretation that supported that rule and amendments to the regulations based on the revised interpretation. More specifically, in connection with the proposed changes to the legal interpretation, EPA is proposing to revise the appliance maintenance and leak repair provisions so they apply only to equipment using refrigerant containing a class I or class II substance. Based on this proposed limitation of the leak repair requirements, this document further proposes to revise the list of practices that must be followed in order for refrigerant releases to be considered *de minimis* to clarify that the reference to following leak repair practices only applies to equipment that contains ODS

refrigerant. EPA is also taking comment on whether, in connection with the proposed changes to the legal interpretation, the 2016 Rule’s extension of subpart F refrigerant management requirements to such substitute refrigerants should be rescinded in full. Additionally, EPA is proposing to extend by six to twelve months the January 1, 2019 compliance date for when appliances containing only substitute refrigerants subject to the venting prohibition must comply with the appliance maintenance and leak repair provisions.

DATES: Written comments must be received by November 15, 2018. EPA will hold a public hearing on or before October 16, 2018. The hearing will be held in Washington, DC. More details concerning the hearing can be found at www.epa.gov/section608.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–HQ–OAR–2017–0629, at www.regulations.gov. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (*e.g.*, on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit www.epa.gov/dockets/commenting-epa-dockets.

FOR FURTHER INFORMATION CONTACT: Jeremy Arling by regular mail: U.S. Environmental Protection Agency, Stratospheric Protection Division (6205T), 1200 Pennsylvania Avenue NW, Washington, DC 20460; by telephone: (202) 343–9055; or by email: arling.jeremy@epa.gov.

I. General Information

A. What is the National Recycling and Emission Reduction Program?

Section 608 of the CAA, titled “National Recycling and Emissions Reduction Program,” has three main

components. First, section 608(a) requires EPA to establish standards and requirements regarding the use and disposal of class I and class II substances.¹ The second component, section 608(b), requires that the regulations issued pursuant to subsection (a) contain requirements for the safe disposal of class I and class II substances. The third component, section 608(c), prohibits the knowing venting, release, or disposal of ODS refrigerants² and their substitutes³ in the course of maintaining, servicing, repairing, or disposing of appliances or industrial process refrigeration (IPR). This third component is also referred to as the “venting prohibition” in this proposal. Section 608(c)(1) includes an exemption from this prohibition for “[d]e minimis releases associated with good faith attempts to recapture and recycle or safely dispose” of class I or class II substances, and section 608(c)(2) extends 608(c)(1) to substitute refrigerants. Section 608(c)(2) also includes a provision that allows the Administrator to exempt a substitute refrigerant from the venting prohibition if he or she determines that such venting, release, or disposal of a substitute refrigerant “does not pose a threat to the environment.”⁴

EPA first issued regulations under section 608 of the CAA on May 14, 1993 (58 FR 28660, “1993 Rule”), to establish the national refrigerant management program for ODS refrigerants recovered during the service, repair, or disposal of air-conditioning and refrigeration appliances. These regulations were intended to substantially reduce the use and emissions of refrigerants that are ODS.

¹ A class I or class II substance refers to an ozone-depleting substance listed at 40 CFR part 82 subpart A, appendix A or appendix B, respectively. This proposal refers to class I and class II substances collectively as ozone-depleting substances, or ODS.

² The term “ODS refrigerant” as used in this proposal refers to any refrigerant or refrigerant blend in which one or more of the components is a class I or class II substance.

³ The term “substitute” is defined at 40 CFR 82.152. In the context of the subpart F regulations, any refrigerant or refrigerant blend in which none of the components is a class I or class II substance is treated as a substitute, while any refrigerant or refrigerant blend in which one or more of the components is a class I or class II substance is regulated as an ODS refrigerant.

⁴ EPA is using the term “non-exempt substitute” in this document to refer to substitute refrigerants that have not been exempted from the venting prohibition under CAA section 608(c)(2) and 40 CFR 82.154(a) in the relevant end-use. Similarly, the term “exempt substitute” refers to a substitute refrigerant that has been exempted from the venting prohibition under section 608(c)(2) and § 82.154(a) in the relevant end-use. A few exempt substitutes have been exempted from the venting prohibition in all end-uses.