

and chemical mass balance studies linked PM<sub>10</sub> impacts with dust and, to a smaller degree, residential wood combustion. Similar analyses for PM<sub>2.5</sub> tied impacts primarily to residential wood combustion. Further, open burning is subject to open burning regulations, including the application of BACT. Thus, removal of the Lincoln County provision that prohibits the burning of asbestos and asbestos-containing materials will not interfere with any applicable CAA requirement, including attainment and RFP.

Finally, section 110(l) requires that each revision to the SIP submitted by a state shall be adopted by the state after reasonable notice and opportunity for public hearing. The DEQ held a public comment period from October 18, 2017, to November 17, 2017, on the proposed revision and received no public comments or requests for a public hearing.

### III. Proposed Action

We are proposing to approve the following revisions to the Montana SIP that were submitted on May 24, 2018: Removal of ARM 17.8.604(1)(w), removal of the reference to ARM 17.8.604(1)(w) in ARM 17.8.320(9), and removal of 75.1.405(2)(w) in the Lincoln County Air Pollution Control Program.

### IV. Incorporation by Reference

In this document, the EPA is proposing to include regulatory text in an EPA final rule that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is proposing to remove ARM 17.8.604(1)(w), including the reference to ARM 17.8.604(1)(w) in ARM 17.8.320(9), and 75.1.405(2)(w) in the Lincoln County Air Pollution Control Program from the Montana SIP. The EPA has made, and will continue to make, these materials generally available through [www.regulations.gov](http://www.regulations.gov) and at the EPA Region 8 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

### 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. 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 CAA. 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 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).

In addition, 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 proposed rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

### 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: October 4, 2019.

**Gregory Sopkin,**

*Regional Administrator, EPA Region 8.*

[FR Doc. 2019-22206 Filed 10-11-19; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R04-OAR-2019-0462; FRL-10001-09-Region 4]

### Air Plan Approval; Georgia: Revisions to Cross-State Air Pollution Rule

**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 Georgia, through the Georgia Environmental Protection Division (GA EPD) of the Department of Natural Resources, via a letter dated July 31, 2018. Specifically, EPA is proposing to approve typographical changes to Georgia's SIP-approved regulations regarding its Cross-State Air Pollution Rule (CSAPR) state trading programs. This action is being proposed pursuant to the Clean Air Act (CAA or Act) and its implementing regulations.

**DATES:** Comments must be received on or before November 14, 2019.

**ADDRESSES:** Submit your comments, identified by Docket ID No. at EPA-R04-OAR-2019-0462 at <http://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 <http://www2.epa.gov/dockets/commenting-epa-dockets>.

#### FOR FURTHER INFORMATION CONTACT:

Steven Scofield, Air Regulatory Management Section, Air Planning and Implementation Branch, Air and Radiation Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW, Atlanta, Georgia 30303-8960. The telephone number is (404) 562-9034. Mr. Scofield can also be reached via electronic mail at [scofield.steve@epa.gov](mailto:scofield.steve@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

GA EPD submitted a SIP revision through a letter dated July 31, 2018,<sup>1</sup> to EPA for review and approval that revises Georgia's SIP-approved rules regarding its CSAPR<sup>2</sup> state trading programs at Rule 391-3-1-.02(12)—“*Cross State Air Pollution Rule NO<sub>x</sub> Annual Trading Program*,” Rule 391-3-1-.02(13)—“*Cross State Air Pollution Rule SO<sub>2</sub> Annual Trading Program*,” and Rule 391-3-1-.02(14)—“*Cross State Air Pollution Rule NO<sub>x</sub> Ozone Season Trading Program*.”

##### II. Analysis of State's Submittal

Georgia's submittal makes several typographical edits to Rule 391-3-1-.02(12)—“*Cross State Air Pollution Rule NO<sub>x</sub> Annual Trading Program*,” Rule 391-3-1-.02(13)—“*Cross State Air Pollution Rule SO<sub>2</sub> Annual Trading Program*,” and Rule 391-3-1-.02(14)—“*Cross State Air Pollution Rule NO<sub>x</sub> Ozone Season Trading Program*.” Specifically, the revision to subparagraph 391-3-1-.02(12)(a)

<sup>1</sup> EPA received the SIP revision on August 2, 2018. EPA received several other SIP revisions from Georgia through GA EPD's July 31, 2018, letter. These other revisions have been or will be addressed in separate EPA actions.

<sup>2</sup> CSAPR is a Federal rule that requires 27 Eastern states to limit their statewide emissions of sulfur dioxide (SO<sub>2</sub>) and nitrogen oxides (NO<sub>x</sub>) from electric generating units (EGUs) that significantly contribute to downwind nonattainment of the 1997 Annual fine particulate matter (PM<sub>2.5</sub>) and 8-hour ozone national ambient air quality standards (NAAQS), 2006 24-hour PM<sub>2.5</sub> NAAQS, and the 2008 8-hour ozone NAAQS. Through its CSAPR rulemakings, EPA determined that air pollution transported from EGUs in Georgia would unlawfully affect other states' ability to attain or maintain the 1997 8-hour ozone NAAQS, the 1997 Annual PM<sub>2.5</sub> NAAQS, and the 2006 24-hour PM<sub>2.5</sub> NAAQS, and included Georgia in the CSAPR ozone season NO<sub>x</sub> trading program and the annual SO<sub>2</sub> and NO<sub>x</sub> trading programs. In 2017, EPA approved Georgia's state trading programs for annual NO<sub>x</sub>, annual SO<sub>2</sub>, and ozone season NO<sub>x</sub> emissions and incorporated Georgia Rules 391-3-1-.02(12), .02(13), and .02(14) into the SIP. See 82 FR 47930 (October 13, 2017) for more information on CSAPR and Georgia's CSAPR state trading programs.

changes the brackets around the **Federal Register** reference and date to parentheses; the revision to subparagraph 391-3-1-.02(13)(a) changes the brackets around the **Federal Register** reference and date to parentheses, and changes the reference to “40 CFR part 97.402” to the correct reference of “40 CFR part 97.702;” and the revision to subparagraph 391-3-1-.02(14)(a) changes the brackets around the **Federal Register** reference and date to parentheses, and changes the reference to “40 CFR part 97.402” to the correct reference of “40 CFR part 97.502.”

##### III. Incorporation by Reference

In this document, 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 Georgia Rule 391-3-1-.02(12)—“*Cross State Air Pollution Rule NO<sub>x</sub> Annual Trading Program*,” Rule 391-3-1-.02(13)—“*Cross State Air Pollution Rule SO<sub>2</sub> Annual Trading Program*,” and Rule 391-3-1-.02(14)—“*Cross State Air Pollution Rule NO<sub>x</sub> Ozone Season Trading Program*,” state effective July 23, 2018. EPA has made, and will continue to make, these materials generally available through [www.regulations.gov](http://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 aforementioned changes to Georgia's SIP at Rule 391-3-1-.02(12)—“*Cross State Air Pollution Rule NO<sub>x</sub> Annual Trading Program*,” Rule 391-3-1-.02(13)—“*Cross State Air Pollution Rule SO<sub>2</sub> Annual Trading Program*,” and Rule 391-3-1-.02(14)—“*Cross State Air Pollution Rule NO<sub>x</sub> Ozone Season Trading Program*.” These changes are consistent with the CAA.

##### 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 reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides.

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

Dated: September 25, 2019.

**Mary S. Walker,**

*Regional Administrator, Region 4.*

[FR Doc. 2019-22326 Filed 10-11-19; 8:45 am]

**BILLING CODE 6560-50-P**

## DEPARTMENT OF DEFENSE

### GENERAL SERVICES ADMINISTRATION

### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

#### 48 CFR Parts 12, 29, and 52

[FAR Case 2018-023; Docket No. 2018-0023; Sequence No. 1]

RIN 9000-AN81

#### Federal Acquisition Regulation: Taxes- Foreign Contracts in Afghanistan; Correction

**AGENCY:** Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

**ACTION:** Proposed rule; correction.

**SUMMARY:** On September 20, 2019, DoD, GSA, and NASA published a document proposing to amend the Federal Acquisition Regulation (FAR) to add two new clauses that notify contractors of requirements relating to Afghanistan taxes or similar charges when contracts are being performed in Afghanistan. The document heading carried an incorrect Regulation Identifier Number (RIN). This document carries the correct RIN.

**DATES:** Comments for the proposed rule published September 20, 2019, at 84 FR 49502, continue to be accepted on or before November 19, 2019, to be considered in the formulation of a final rule.

**ADDRESSES:** Submit comments in response to FAR Case 2018-023 by any of the following methods:

- *Regulations.gov:* <http://www.regulations.gov>

Submit comments via the Federal eRulemaking portal by entering "FAR Case 2018-023" under the heading "Enter Keyword or ID" and selecting "Search". Select the link "Comment Now" that corresponds with "FAR Case 2018-023". Follow the instructions provided on the screen. Please include your name, company name (if any), and "FAR Case 2018-023" on your attached document.

- *Mail:* General Services

Administration, Regulatory Secretariat Division, ATTN: Lois Mandell, 1800 F Street NW, 2nd floor, Washington, DC 20405.

**Instructions:** Please submit comments only and cite "FAR case 2018-023" in all correspondence related to this case. Comments received generally will be posted without change to <http://www.regulations.gov>, including any personal and/or business confidential information provided. To confirm receipt of your comment(s), please check [www.regulations.gov](http://www.regulations.gov), approximately two to three days after submission to verify posting (except allow 30 days for posting of comments submitted by mail).

**FOR FURTHER INFORMATION CONTACT:** For clarification of content, contact Mr. Kevin Funk, Procurement Analyst, at 202-357-5805 or [kevin.funk@gsa.gov](mailto:kevin.funk@gsa.gov). For information pertaining to status or publication schedules, contact the Regulatory Secretariat Division at 202-501-4755. Please cite "FAR Case 2018-023."

**SUPPLEMENTARY INFORMATION:** On September 20, 2019, at 84 FR 49502, DoD, GSA, and NASA published a proposed rule to amend the Federal Acquisition Regulation (FAR) to add two new clauses that notify contractors of requirements relating to Afghanistan taxes or similar charges when contracts are being performed in Afghanistan. The document's heading contained the incorrect RIN, "RIN 9000-AN68." The correct RIN is "RIN 9000-AN81" and is in the heading of this correction.

**William F. Clark,**

*Director, Office of Government-wide Acquisition Policy, Office of Acquisition Policy, Office of Government-wide Policy.*

[FR Doc. 2019-22282 Filed 10-11-19; 8:45 am]

**BILLING CODE 6820-EP-P**

## SURFACE TRANSPORTATION BOARD

### 49 CFR Part 1039

[Docket No. EP 760]

#### Exclusion of Demurrage Regulation From Certain Class Exemptions

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Surface Transportation Board (STB or Board) proposes to clarify its regulations governing exemptions for certain miscellaneous commodities and boxcar transportation so that those regulations unambiguously state that demurrage continues to be subject to Board regulation. The Board also proposes to revoke, in part, the exemption that currently covers certain agricultural commodities so that the exemption would not apply to the regulation of demurrage, thereby making

the agricultural commodities exemption consistent with similar exemptions covering non-intermodal transportation.

**DATES:** Comments on the proposed rule are due by November 6, 2019. Reply comments are due by December 6, 2019.

**ADDRESSES:** Comments and replies may be filed with the Board either via e-filing or in writing addressed to: Surface Transportation Board, Attn: Docket No. EP 760, 395 E Street SW, Washington, DC 20423-0001. Comments and replies will be posted to the Board's website at [www.stb.gov](http://www.stb.gov).

**FOR FURTHER INFORMATION CONTACT:** Amy Ziehm at (202) 245-0391.

Assistance for the hearing impaired is available through the Federal Relay Service at (800) 877-8339.

**SUPPLEMENTARY INFORMATION:** The Board's regulations exempt from the provisions of subtitle IV of title 49 of the U.S. Code the rail transportation of certain miscellaneous commodities (*see* 49 CFR 1039.11) and boxcar transportation (*see* 49 CFR 1039.14). The Board proposes to amend these regulations to state more clearly that the exemptions do not apply to the regulation of demurrage. Although the regulations for these class exemptions have already been interpreted to effectively exclude the regulation of demurrage, the Board finds these regulations would be more easily understood by more clearly stating the demurrage exclusion. Such clarification would also reflect the longstanding court and agency precedent that these exemptions do not apply to the regulation of demurrage.

The rail transportation of certain agricultural commodities is also exempt.<sup>1</sup> Section 1039.10 does not specifically state that demurrage<sup>2</sup> related to the transportation of these agricultural commodities continues to be subject to Board regulation. The Board finds that regulation of demurrage related to the non-intermodal transportation of these agricultural commodities is necessary to carry out the rail transportation policy of 49 U.S.C. 10101<sup>3</sup> and notes that, as

<sup>1</sup> The agricultural commodity exemption under 49 CFR 1039.10 excepts the rail transportation of grain, soybeans, and sunflower seeds, so the rail transportation of those commodities is subject to the provisions of subtitle IV of title 49.

<sup>2</sup> In *Demurrage Liability*, EP 707, slip op. at 15-16 (STB served Apr. 11, 2014), the Board clarified that private car storage is included in the definition of demurrage for purposes of the demurrage rules established in that decision. The Board uses the same definition for purposes of this notice of proposed rulemaking.

<sup>3</sup> This proposed partial revocation is not intended to authorize the regulation of demurrage related to