

TABLE 4 TO PARAGRAPH (d)—STATE SOURCE-SPECIFIC REQUIREMENTS <sup>1</sup>—Continued

Name of source	Permit No.	State effective date	EPA approval date	Explanation
The Amalgamated Sugar Company LLC—Twin Falls, Twin Falls, Idaho.	T1–2016.0017 .....	1/21/2022	9/5/2025, 90 FR [INSERT <b>FEDERAL REGISTER</b> PAGE WHERE THE DOCUMENT BEGINS].	Permit condition 4.9 and 5.2 only.

<sup>1</sup> EPA does not have the authority to remove these source-specific requirements in the absence of a demonstration that their removal would not interfere with attainment or maintenance of the NAAQS, violate any prevention of significant deterioration increment or result in visibility impairment. Idaho Department of Environmental Quality may request removal by submitting such a demonstration to EPA as a SIP revision.

\* \* \* \* \* (e) \* \* \*

TABLE 6 TO PARAGRAPH (e)—STATE ATTAINMENT, MAINTENANCE, AND OTHER PLANS

Name of SIP provision	Applicable geographic or nonattainment area	State submittal date	EPA approval date	Explanations
* * * * *	* * * * *	* * * * *	* * * * *	* * * * *
Regional Haze SIP Revision for the Second Implementation Period.	State-wide .....	8/5/2022, supplemented 5/8/2024.	9/5/2025, 90 FR [INSERT <b>FEDERAL REGISTER</b> PAGE WHERE THE DOCUMENT BEGINS].	

[FR Doc. 2025–17054 Filed 9–4–25; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA–R09–OAR–2024–0473; FRL–12323–02–R9]

### Air Plan Approval; California; State Implementation Plan Revision for Chico, Modesto and Stockton Carbon Monoxide Maintenance Areas

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

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is taking final action to approve a revision to the California state implementation plan (SIP) that removes carbon monoxide (CO) contingency measures and monitoring requirements from the maintenance plan for three CO maintenance areas: Chico Urbanized Area, Modesto Urbanized Area, and Stockton Urbanized Area. We are approving the revision under the Clean Air Act (CAA or “Act”).

**DATES:** This rule is effective October 6, 2025.

**ADDRESSES:** The EPA has established a docket for this action under Docket ID No. EPA–R09–OAR–2024–0473. 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., 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 <https://www.regulations.gov>, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information. If you need assistance in a language other than English or if you are a person with a disability who needs a reasonable accommodation at no cost to you, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. **FOR FURTHER INFORMATION CONTACT:** Ginger Vagenas, EPA Region 9, 75 Hawthorne Street, San Francisco, CA 94105; phone: (415) 972–3964; email: [vagenas.ginger@epa.gov](mailto:vagenas.ginger@epa.gov).

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

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### I. Proposed Action

On March 31, 2025,<sup>1</sup> the EPA proposed to approve the “2023 Revision

to the California State Implementation Plan for Carbon Monoxide”<sup>2</sup> as a SIP revision to remove CO contingency measures and monitoring requirements from the “2004 Revision to the California State Implementation Plan for Carbon Monoxide”<sup>3</sup> for the Chico, Modesto, and Stockton maintenance areas. The proposal includes the EPA’s analysis of monitoring data demonstrating that ambient levels of CO in the three maintenance areas were well below the CO national ambient air quality standards (NAAQS) throughout the maintenance period, as well as the EPA’s evaluation of the California Air Resources Board’s (CARB) demonstration that future CO emissions are consistent with continued compliance with the CO NAAQS through 2050.<sup>4</sup> We proposed to approve this revision because we determined that it complies with the relevant CAA requirements. Our proposed action contains more information on the revision and our evaluation.

### II. Public Comments and EPA Responses

The EPA’s proposed action provided a 30-day public comment period that

<sup>2</sup> CARB, “2023 Revision to the California State Implementation Plan for Carbon Monoxide,” February 9, 2024.

<sup>3</sup> California Air Resources Board (CARB), “2004 Revision to the California State Implementation Plan for Carbon Monoxide,” adopted July 22, 2004.

<sup>4</sup> See CARB, “2023 Revision to the California State Implementation Plan for Carbon Monoxide,” February 9, 2024, table 4.

<sup>1</sup> 90 FR 14224, March 31, 2025.

closed April 30, 2025. During this period, we received one non-germane comment and one comment opposing our action due to the human health and climate effects of CO.

The commenter correctly notes CO is a precursor for ozone, which is a greenhouse gas, and that high levels of CO have negative human health effects. However, as noted in our proposal, the ambient concentration of CO in the Chico, Stockton, and Modesto maintenance areas is well below the NAAQS for CO (the level that the EPA has determined to be protective of human health and the environment) and this action will not interfere with the maintenance of the CO NAAQS or other CAA requirements related to this standard.<sup>5</sup> Further, these areas have been attaining the CO NAAQS for at least 20 years, CARB has demonstrated that they will likely continue to maintain the NAAQS due to declining CO emissions,<sup>6</sup> and assessing the indirect effect of CO on the formation of greenhouse gases is beyond the scope of this action. Finally, CARB has satisfied the requirements in 40 CFR 58.14 to discontinue the CO monitors in the Chico Urbanized Area, Stockton Urbanized Area, and Modesto Urbanized Area.

### III. EPA Action

No comments were submitted that change our assessment of the SIP revision, as described in our proposed action. Therefore, as authorized in section 110(k)(3) of the Act and for the reasons provided in our March 31, 2025 proposed rulemaking, the EPA is taking final action to approve into the California SIP the “2023 Revision to the California State Implementation Plan for Carbon Monoxide,” submitted to the EPA on April 5, 2024.

### 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 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 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 Order 12866 (58 FR 51735, October 4, 1993);
- Is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because SIP actions are exempt from review 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 subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a State program;
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
- 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 Clean Air Act.

In addition, the SIP is not approved to apply on any Indian reservation land or 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 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).

This action is subject to the Congressional Review Act, and the EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. 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 4, 2025. 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, Reporting and recordkeeping requirements.

Dated: August 25, 2025.

**Joshua F.W. Cook,**

*Regional Administrator, Region IX.*

For the reasons stated in the preamble, the Environmental Protection Agency amends part 52, chapter I, title 40 of the Code of Federal Regulations 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 F—California

- 2. Section 52.220a is amended in paragraph (e), table 2, under the heading “Multi-Area Carbon Monoxide Maintenance Plans” by adding an entry for “2023 Revision to the California State Implementation Plan for Carbon Monoxide” before the entry for “2004 Revision to the California State Implementation Plan for Carbon Monoxide, Updated Maintenance Plan for Ten Federal Planning Areas” to read as follows:

#### § 52.220a Identification of plan—in part.

\* \* \* \* \*

(e) \* \* \*

<sup>5</sup> 90 FR 14224, 14226–14227 (March 31, 2025).

<sup>6</sup> Id.

TABLE 2—1994 CALIFORNIA OZONE PLAN—STATE AND LOCAL MEASURES; VEHICLE INSPECTION AND MAINTENANCE (I/M) PROGRAM SIPs; GASOLINE AND DIESEL FUEL PROVISIONS AND RELATED TEST METHODS; BASE YEAR EMISSION INVENTORY AND VMT OFFSET DEMONSTRATION OZONE SIPs; PESTICIDE-RELATED SIPs; MULTI-AREA OZONE PLAN ELEMENTS; AND MULTI-AREA CARBON MONOXIDE MAINTENANCE PLANS

Name of SIP provision	Applicable geographic area	State submittal date	EPA approval date	Explanation
*	*	*	*	*
<b>Multi-Area Carbon Monoxide Maintenance Plans</b>				
2023 Revision to the California State Implementation Plan for Carbon Monoxide.	Chico Urbanized Area, Modesto Urbanized Area, and Stockton Urbanized Area.	April 4, 2024 .....	9/5/2025, 90 FR [INSERT <b>FEDERAL REGISTER</b> PAGE WHERE THE DOCUMENT BEGINS].	Removes carbon monoxide (CO) contingency measures and monitoring requirements from the maintenance plan for certain areas.
*	*	*	*	*

\* \* \* \* \*

[FR Doc. 2025–17061 Filed 9–4–25; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA–R06–OAR–2022–0311; FRL–12956–01–R6]

### Withdrawals of Findings of Failure To Submit State Implementation Plan and Finding of Failure To Attain for the Rusk and Panola Counties, Texas 2010 Sulfur Dioxide Primary National Ambient Air Quality Standard Area

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

**ACTION:** Final rule.

**SUMMARY:** On May 16, 2025, the United States Court of Appeals for the Fifth Circuit (the Court) granted petitions for review of the EPA’s nonattainment area designation for the Rusk and Panola Counties area, Texas for the 2010 SO<sub>2</sub> National Ambient Air Quality Standard (NAAQS). Accordingly, that nonattainment designation for the area has been vacated. The vacatur of the nonattainment designation necessarily requires the withdrawal of two contingent actions since the underlying designation is no longer valid: EPA’s finding of failure to submit an attainment plan (FFS) issued on August 10, 2020, and EPA’s finding of failure to attain the NAAQS by the attainment date (FFA) issued on December 17, 2024. The EPA is withdrawing these two final actions in accordance with the court’s decision and finds that any requirements deriving from either the FFS or the FFA are no longer applicable.

**DATES:** This final rule is effective September 5, 2025.

**ADDRESSES:** The EPA has established a docket for this action under Docket ID No. EPA–R06–OAR–2022–0311, at <https://www.regulations.gov>.

*Docket:* The index to the docket for this action is available electronically at <https://www.regulations.gov>. While all documents in the docket are listed in the index, some information may not be publicly available due to docket file size restrictions or content (e.g., Confidential Business Information (CBI)).

**FOR FURTHER INFORMATION CONTACT:**

Andrew Lee, EPA Region 6 Office, Infrastructure and Ozone Section, telephone number: (214) 665–6750, email address: [lee.andrew.c@epa.gov](mailto:lee.andrew.c@epa.gov). Please call or email the contact listed above if you need alternative access to material indexed but not provided in the docket.

**SUPPLEMENTARY INFORMATION:**

Throughout this document “we,” “us,” and “our” means the EPA.

### I. Background

On June 22, 2010, the EPA published a new 1-hour primary SO<sub>2</sub> NAAQS of 75 parts per billion (ppb).<sup>1</sup> Subsequently, the EPA designated portions of Rusk and Panola Counties, Texas as nonattainment for this 2010 1-hour primary SO<sub>2</sub> NAAQS, effective January 12, 2017.<sup>2</sup> The primary major source of emissions in the area is the Martin Lake Steam Electric Station (Martin Lake), a coal-fired power plant owned by Luminant Generation Company LLC (Luminant), a subsidiary of Vistra Energy Corporation (Vistra). Under section 191 of the Clean Air Act (CAA), Texas was required to submit an SO<sub>2</sub>

attainment plan to the EPA within 18 months of the effective date of the nonattainment designation, *i.e.*, by no later than July 12, 2018, for the Rusk-Panola area. Under CAA section 179(c)(1), the EPA was required to determine whether the nonattainment area had attained the NAAQS by the applicable attainment date, in this case, January 12, 2022.

On August 10, 2020, the EPA published “Findings of Failure to Submit State Implementation Plans Required for Attainment of the 2010 1-Hour Primary Sulfur Dioxide (SO<sub>2</sub>) National Ambient Air Quality Standard (NAAQS)” addressing requirements for three SO<sub>2</sub> nonattainment areas, including the finding that Texas failed to submit the required SIP for the Rusk Panola nonattainment area by the July 12, 2018 CAA deadline.<sup>3</sup> This finding, effective on September 9, 2020, triggered sanction clocks and the CAA section 110(c) requirement for the EPA to promulgate a federal implementation plan (FIP) for the area within two years of the finding (September 9, 2022) unless the state submitted and obtained EPA approval of a SIP revision correcting the deficiency. On February 28, 2022, the Texas Commission on Environmental Quality (TCEQ) submitted an attainment plan SIP for the Rusk Panola area. On August 24, 2022, the EPA determined that the submittal was complete under 40 CFR part 51, appendix V, which stopped the mandatory emissions offsets sanctions that were in effect and the 24-month sanction clock for the imposition of highway funding sanctions.<sup>4</sup> However,

<sup>3</sup> See 85 FR 48111; this document also addressed another 2010 SO<sub>2</sub> nonattainment area.

<sup>4</sup> Completeness Determination Letter from David Garcia, Air and Radiation Division Director—EPA

Continued