

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 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).

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. 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).

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: December 4, 2014.

Mark Sanborn,

Regional Administrator, EPA Region 1.

Part 52 of chapter I, title 40 of the Code of Federal Regulations 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 H—Connecticut

■ 2. Section 52.377 is amended by revising paragraph (t) to read as follows:

§ 52.377 Control strategy: Ozone.

(t) *Approval.* Revisions to the State Implementation Plan submitted by the Connecticut Department of Energy and Environmental Protection on January 17, 2017, September 5, 2017, and August 8, 2017, to meet, in part, requirements of the 2008 ozone NAAQS. These revisions satisfy the rate of progress requirement of section 182(b) through 2017, the motor vehicle inspection and maintenance requirements of section 182(b), the contingency measure requirements of section 172(c)(9), the emission statement requirements of section 182(a)(3)(B), and the reasonably available control measure requirement of section 172(c)(1) for the Connecticut portion of the New York-Northern New Jersey-Long Island, NY-NJ-CT area, and the Greater Connecticut moderate ozone nonattainment areas. The January 17, 2017, revision establishes motor vehicle emissions budgets for 2017 of 15.9 tons per day of VOC and 22.2 tons per day of NO_x to be used in transportation conformity in the Greater Connecticut moderate ozone nonattainment area. The August 8, 2017, revision establishes motor vehicle emissions budgets for 2017 of 17.6 tons per day of VOC and 24.6 tons per day of NO_x to be used in transportation conformity in the Connecticut portion of the New York-Northern New Jersey-Long Island, NY-NJ-CT moderate ozone nonattainment area.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R05-OAR-2014-0549; FRL-12784-02-R5]

Air Plan Approval; Ohio; Carmeuse Lime, Inc. SO₂

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving new emissions limits for the Carmeuse Lime Maple Grove, Inc. facility into the Ohio State Implementation Plan (SIP) for the National Ambient Air Quality Standard (NAAQS) for sulfur dioxide (SO₂). The Ohio Environmental Protection Agency (Ohio EPA) submitted Director's Findings and Orders that establish a new emission limit for SO₂ emissions from two rotary lime kilns at the Carmeuse Lime Maple Grove, Inc.

facility (hereafter referred to as Carmeuse Lime) in Seneca County, Ohio. EPA proposed to approve this action on August 7, 2014.

DATES: This final rule is effective on January 12, 2016.

ADDRESSES: EPA has established a docket for this action under Docket ID No. EPA-R05-OAR-2014-0549. 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.*, Confidential Business Information (CBI), Proprietary Business Information (PBI), 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 either through <https://www.regulations.gov> or at the Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. This facility is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal holidays. We recommend that you telephone Cecilia Magos, at (312) 886-7336 before visiting the Region 5 office.

FOR FURTHER INFORMATION CONTACT:

Cecilia Magos, Air and Radiation Division (AR-18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-7336, magos.cecilia@epa.gov.

SUPPLEMENTARY INFORMATION:

Throughout this document whenever “we,” “us,” or “our” is used, we mean EPA.

I. Background Information

On August 21, 2014 (80 FR 51052), EPA finalized the Data Requirements Rule (DRR), which required State air agencies to characterize ambient SO₂ levels in areas with large sources of SO₂ emissions to identify sources that may be causing air quality problems. Under the DRR (40 CFR 51.1205), for any area where modeling of actual SO₂ emissions served as a basis for designating such area as attainment for the 2010 SO₂ NAAQS, the State air agency shall submit to EPA an annual SO₂ emissions report of applicable sources by July 1 of each year, including an assessment of the cause of any emission increases from the previous year and a recommendation regarding the need for additional dispersion modeling to determine if an area is still meeting the 2010 SO₂ NAAQS.

In August 2023, in preparation for Ohio's 2024 Annual SO₂ Emissions Review, Ohio EPA conducted new modeling for Carmeuse Lime due to increased emissions at the facility. This new modeling showed violations of the SO₂ NAAQS near the facility. In response, Ohio EPA conducted additional modeling to determine what allowable emissions limit to adopt at the Carmeuse Lime facility, that would model compliance with the 2010 SO₂ NAAQS in the area.

On November 13, 2024, Ohio EPA submitted a request to EPA to incorporate DFFOs that establish a new allowable 30-day rolling average SO₂ emissions limit of 1,170 pounds per hour (lbs/hr) for the combined lime kiln stack shared by two rotary lime kilns. On August 7, 2025 (90 FR 38093), EPA proposed to approve Ohio EPA's DFFOs to ensure continued attainment of the NAAQS. An explanation of the Clean Air Act (CAA) requirements, a detailed analysis of the revisions, and EPA's reasons for proposing approval were provided in the notice of proposed rulemaking (NPRM) and will not be restated here. The public comment period for this proposed rule ended on September 8, 2025.

II. EPA's Response to Comments

During the comment period, EPA received one comment expressing general concerns over increased SO₂ emissions. The comment did not specify a source with increased emissions or the area being impacted. In response, EPA clarifies that the addition of the limit in the DFFOs being approved in this action establishes a new emission limit at the facility and will reduce emissions at Carmeuse Lime. The new limit will allow the area around the facility to show modeled compliance with the NAAQS and is protective of the environment and human health. EPA does not consider the comment to be germane or relevant to this action and is therefore, finalizing the action as proposed. The comment on the proposed rule is included in the docket for this action.

III. Final Action

EPA is approving Ohio EPA's DFFOs issued to the Carmeuse Lime facility submitted on November 13, 2024, into the Ohio 2010 SO₂ NAAQS SIP. The DFFOs establish a new SO₂ emissions limit of 1,170 lbs/hr for the combined lime kiln stack that receives and emits SO₂ emissions from two rotary kilns, ensuring continued attainment of the 2010 SO₂ NAAQS.

IV. Incorporation by Reference

In this rule, EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, EPA is finalizing the incorporation by reference of the Ohio DFFOs for Carmeuse Lime described in sections I and III of this preamble and set forth in the amendments to 40 CFR part 52 below. EPA has made, and will continue to make, these documents generally available through <https://www.regulations.gov>, and at the EPA Region 5 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information). Therefore, these materials have been approved by EPA for inclusion in the SIP, have been incorporated by reference by EPA into that plan, are fully federally enforceable under sections 110 and 113 of the CAA as of the effective date of the final rulemaking of EPA's approval, and will be incorporated by reference in the next update to the SIP compilation.¹

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 CAA and applicable Federal regulations. 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. 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 CAA.

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 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 rule is exempt from the Congressional Review Act because it is a rule of particular applicability.

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by February 9, 2026. 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, Incorporation by reference, Intergovernmental relations, Reporting and recordkeeping requirements, Sulfur oxides.

Dated: December 5, 2025.

Cheryl Newton,

Acting Regional Administrator, Region 5.

For the reasons stated in the preamble, title 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:

¹ 62 FR 27968 (May 22, 1997).

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

■ 2. In § 52.1870, the table in paragraph (d) is amended by adding an entry for

“Carmeuse Lime, Inc. Maple Grove” after the entry for “Cardinal Power Plant” to read as follows:

§ 52.1870 Identification of plan.

* * * * *
(d) * * *

EPA—APPROVED OHIO SOURCE-SPECIFIC PROVISIONS

Name of source	Number	Ohio effective date	EPA approval date	Comments
Carmeuse Lime, Inc. Maple Grove.	DFFO	11/8/2024	12/11/2025, 90 FR [Insert Federal Register page where the document begins].	

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 251208-0181]

RIN 0648-BN40

Magnuson-Stevens Act Provisions; Fisheries of the Northeastern United States; Fisheries of the Northeastern United States; 2025–2027 Atlantic Herring Fishery Specifications

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Final specifications.

SUMMARY: NMFS approves and implements 2025–2027 specifications and river herring and shad catch caps for the Atlantic herring fishery, as recommended by the New England Fishery Management Council. This action also updates the target rebuilding date for Atlantic herring. This action is necessary to respond to updated scientific information from a 2024 Atlantic herring management track assessment and to achieve the objectives of the Atlantic Herring Fishery Management Plan, including preventing overfishing, helping rebuild an overfished stock, and achieving optimum yield on a continuing basis.

DATES: Effective December 11, 2025.

ADDRESSES: Copies of the 2025–2027 herring specifications action, including the Supplemental Information Report (SIR) and the Regulatory Impact Review (RIR) prepared by the New England Fishery Management Council in support of this action, are available from Dr.

Cate O’Keefe, Executive Director, New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950. These documents are also accessible via the internet at <https://www.nefmc.org/management-plans/herring>.

Copies of the small entity compliance guide are available from Michael Pentony, Regional Administrator, NMFS, Greater Atlantic Regional Fisheries Office, 55 Great Republic Drive, Gloucester, MA 01930–2298, or available on the internet at <https://www.greateratlantic.fisheries.noaa.gov>.

FOR FURTHER INFORMATION CONTACT: Carrie Nordeen, Fishery Policy Analyst, 978–281–9272.

SUPPLEMENTARY INFORMATION:

Background

NMFS and the New England Fishery Management Council (Council) manage the Atlantic herring fishery pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), the Atlantic Herring Fishery Management Plan (FMP), and regulations implementing the FMP located at 50 CFR part 648, subpart K.

This action relieves a restriction by increasing herring annual catch limits (ACL) by 68 percent for 2025 and by 237 percent for 2026 and 2027, compared to the current 2025 ACL. In 2023, the most recent year for which complete data are available, the herring fishery generated \$5.61 million in revenue. This action projects up to an additional \$1.56 million in revenue available for 2025 and an additional \$5.25 million in revenue available for both 2026 and 2027, compared to revenue associated with the current 2025 herring ACL.

The regulatory process to propose, approve, and implement herring specifications is described at § 648.200. First, the Council recommends herring specifications to NMFS for its review, including: The overfishing limit (OFL);

acceptable biological catch (ABC); ACL; optimum yield (OY); domestic annual harvest; domestic annual processing; U.S. at-sea processing; border transfer; management area sub-ACLs, including seasonal periods as allowed by § 648.201(d) and modifications to sub-ACLs as allowed by § 648.201(f); the amount of research and fixed gear set aside; and river herring and shad catch caps. Next, NMFS reviews the Council’s recommended specifications and publishes proposed specifications in the **Federal Register**, describing its evaluation of the specifications and whether or not the proposed specifications are consistent with the Council’s recommendations. During this time, NMFS seeks public comment on the proposed herring specifications and whether they are consistent with the FMP, the Magnuson-Stevens Act and its National Standards, and other applicable law. Following the close of the comment period on the proposed specifications, NMFS evaluates the public comments and determines whether to approve the proposed specifications. Lastly, NMFS implements the approved specifications, as well as any changes to the proposed specifications, by publishing them in the **Federal Register**.

A 2024 herring management track stock assessment (2024 stock assessment) was completed in June 2024. According to the results of the 2024 stock assessment, the stock continues to be overfished with overfishing not occurring. Retrospective pattern adjustments were necessary because the model overestimated biomass and underestimated mortality. The adjusted spawning stock biomass was estimated to be 26 percent (47,955 metric tons (mt)) of the biomass (B) to support maximum sustainable yield (B_{MSY}) (186,367 mt) and the adjusted fishing mortality rate (F) was estimated to be 58 percent (0.263) of the overfishing threshold (F_{MSY} equals