

to discrimination under any program to which this part applies on the grounds of race, color, or national origin; or with the purpose of defeating or substantially impairing the accomplishment of the objectives of the Act or this part.

* * * * *

(d) *Employment practices.* Whenever a primary objective of the Federal financial assistance to a program to which part 18 applies, is to provide employment, a recipient of such assistance may not (directly or through contractual or other arrangements) subject any individual to discrimination on the ground of race, color, or national origin in its employment practices under such program (including recruitment or recruitment advertising, employment, layoff, or termination, upgrading, demotion, or transfer, rates of pay or other forms of compensation, and use of facilities).

■ 3. Revise § 18.12(a)(1) to read as follows:

§ 18.12 Effect on other regulations, forms and instructions.

(a) * * *

(1) Executive Orders 10925 (3 CFR, 1959–1963 Comp., p. 448), 11114 (3 CFR,

1959–1963, p. 774), and regulations issued thereunder, or

* * * * *

■ 4. Revise Appendix A to Subpart A of Part 18 to read as follows:

Appendix A to Subpart A of Part 18—Statutory Provisions to Which This Subpart Applies

1. Payments to State homes (38 U.S.C. 1741–1745).

2. State home facilities for furnishing domiciliary, nursing home, and hospital care (38 U.S.C. 8131–8138).

3. Space and office facilities for representatives of recognized national organizations (38 U.S.C. 5902(a)(2)).

4. All-volunteer force educational assistance, Veteran Readiness and Employment, post-Vietnam era veterans' educational assistance, veteran's educational assistance, survivors' and dependents' educational assistance, and administration of educational benefits (38 U.S.C. Chapters 30, 31, 32, 34, 35 and 36, respectively).

5. Sharing of medical facilities, equipment, and information (38 U.S.C. 8151–8159).

6. Approval of educational institutions (38 U.S.C. 104).

7. Space and office facilities for representatives of State employment services (38 U.S.C. 6306(e)).

8. Medical care for survivors and dependents of certain veterans (38 U.S.C. 1781).

9. Transfers for nursing home care; adult day health care (38 U.S.C. 1720).

10. Treatment and rehabilitation for alcohol or drug dependence or abuse disabilities (38 U.S.C. 1720A).

11. Aid to States, counties, and tribal organizations for establishment, expansion, and improvement of veterans cemeteries (38 U.S.C. 2408).

12. Assistance in establishing new state medical schools; grants to affiliated medical schools; assistance to health manpower training institutions (38 U.S.C. Chapter 82).

13. Department of Veterans Affairs health professional scholarship program (38 U.S.C. 7611–7619).

14. Emergency veterans job training (Pub. L. 98–77, 97 Stat. 443–452).

Appendix B to Subpart A of Part 18 [Amended]

5. Amend Appendix B to Subpart A of Part 18 by removing paragraph (d).

[FR Doc. 2026–12924 Filed 6–25–26; 8:45 am]

BILLING CODE 8320–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2026–4489; FRL–13421–01–R9]

Air Quality Plan; California; Mojave Desert Air Quality Management District; Rescissions of Outdated Requirements Within Riverside County

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve revisions to the Mojave Desert Air Quality Management District (MDAQMD or “District”) portion of the California State Implementation Plan (SIP). These revisions concern prohibitory rules that regulate emissions of volatile organic compounds (VOCs) and oxides of nitrogen (NO_x) under the Clean Air Act (CAA or “Act”) within the Riverside County portion of the MDAQMD portion of the California SIP. We are proposing to approve the rescissions of the rules because the requirements in the rules are no longer necessary to retain in the SIP to meet CAA requirements.

DATES: Comments must be received on or before July 27, 2026.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R09–OAR–2026–4489 at <https://www.regulations.gov>. For comments submitted at [Regulations.gov](https://www.regulations.gov), follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from [Regulations.gov](https://www.regulations.gov). The 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. The 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, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>. 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: La Kenya Evans-Hopper, EPA Region IX, 75 Hawthorne St., San Francisco, CA 94105; telephone number: (415) 972–3245; email address: evanshopper.lakenya@epa.gov.

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

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I. The State's Submittal

A. What is the background for this proposed action?

Under the CAA, the EPA has established National Ambient Air Quality Standards (NAAQS) for certain pervasive air pollutants, including, among others, ozone and particulate matter (PM). Under CAA section 110(a), states are required to adopt and submit SIPs to implement, maintain, and enforce the NAAQS. Under CAA section 107(d), the EPA has designated all areas

of the country as attainment, nonattainment, or unclassifiable for the NAAQS. Areas designated as nonattainment must adopt and submit SIP revisions that, among other things, provide for attainment of the NAAQS by the applicable attainment date.

The MDAQMD regulates sources of air pollution within California's "Mojave Desert Air Basin," which lies within the previously-designated "Southeast Desert Air Basin."¹ The MDAQMD's jurisdiction includes the desert portion of San Bernardino County and the far eastern portion of Riverside County. A portion of San Bernardino County within the District is also in the West Mojave Desert ozone nonattainment area.² The Riverside County portion of the District is designated as unclassifiable/attainment for all the NAAQS.

In 1972, when the original California SIP was submitted and approved by the EPA, the San Bernardino County Air Pollution Control District (SBCAPCD) had jurisdiction over stationary sources within all of San Bernardino County, and Riverside County Air Pollution Control District (RCAPCD) had jurisdiction over stationary sources within all of Riverside County. On July 16, 1975, the Los Angeles County Air Pollution Control District (LACAPCD), Orange County Air Pollution Control District (OCAPCD), RCAPCD, and SBCAPCD were unified into the Southern California Air Pollution Control District (SoCalAPCD). On February 1, 1977, California split the SoCalAPCD into four agencies. The western coastal area became regulated by the South Coast Air Quality Management District (SCAQMD) and the remaining eastern desert portions of Los Angeles, San Bernardino, and

Riverside Counties were separated back into air pollution control districts for each county (*i.e.*, LACAPCD, SBCAPCD, and RCAPCD). The original jurisdiction of the SCAQMD covered an area referred to as the "South Coast Air Basin" that included all of Orange County and the western non-desert portions of Los Angeles, Riverside, and San Bernardino Counties. The jurisdiction of the LACAPCD, SBCAPCD, and RCAPCD extended over a portion of an air basin referred to as the "Southeast Desert Air Basin."³

The Southeast Desert Air Basin portion of Riverside County was added to the SCAQMD on December 1, 1977. Effective December 1, 1977, under state law, all SCAQMD Rules and Regulations became applicable within the Southeast Desert Air Basin portion of Riverside County.⁴ In 1982, the applicability of SCAQMD rules that had been approved as part of the California SIP was extended to the Southeast Desert Air Basin portion of Riverside County.⁵ On July 1, 1993, the SBCAPCD was re-formed as the MDAQMD with jurisdiction in the desert portion of San Bernardino County. On July 1, 1994, the Palo Verde Valley area in far eastern Riverside County (and that is a part of the Southeast Desert Air Basin portion of Riverside County) left the SCAQMD and joined the MDAQMD.⁶ No changes to the District's boundaries have been made since 1994 and, as stated above, today the MDAQMD's jurisdiction is within the Mojave Desert Air Basin and consists of the desert portion of San Bernardino County and the Palo Verde Valley area in the far eastern portion of Riverside County.

An outgrowth of the complicated regulatory history of the MDAQMD is that the applicable portion of the

California SIP for the area the District regulates consists of a mixture of rules from current and former agencies. Rules adopted by MDAQMD apply "District-wide," meaning to the desert portion of San Bernardino County and the Palo Verde Valley area in the far eastern portion of Riverside County, while SBCAPCD rules apply only in the San Bernardino County portion of the District and rules adopted by the RCAPCD, SoCalAPCD or the SCAQMD apply only in the Riverside County portion of the District.

B. Which rules did the State request for rescission?

The California Air Resources Board (CARB) submitted revisions to the MDAQMD portion of the California SIP, including MDAQMD rules and rescissions, to the EPA for approval on the following dates: September 10, 2024,⁷ and November 15, 2024.⁸ The purpose of these submissions is to align the SIP versions of the rules with the versions in effect in the MDAQMD.^{9 10}

Table 1 lists rules submitted for District-wide applicability with the dates they were adopted by the MDAQMD, previously approved by the EPA, and re-submitted to the EPA by CARB to extend applicability throughout the District. Table 2 lists the rules submitted for rescission from the Riverside County portion of the MDAQMD portion of the SIP that are covered by this proposed action with the dates that they were adopted by the MDAQMD, the dates they were submitted by CARB, and the dates (and associated **Federal Register** citations) that the rules were previously approved by the EPA.

TABLE 1—MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT SIP RULES SUBMITTED FOR DISTRICT-WIDE APPLICABILITY

Rule No.	Title	Local adoption date	SIP approval date	FR citation
442	Usage of Solvents	February 27, 2006	September 17, 2007	72 FR 52791.
1102	Fugitive Emissions of VOCs from Components at Pipeline Transfer Stations.	October 26, 1994	September 27, 1995	60 FR 49772.
1104	Organic Solvent Degreasing Operations	April 23, 2018	July 2, 2019	84 FR 31682.

¹ The two air basins are described in the California Air Resources Board's (CARB's), "Initial Statement of Reasons for Proposed Rulemaking, Proposed Amendments to Divide the Southeast Desert Air Basin and to Modify the Boundary of the South Coast Air Basin and Proposed Amendments to the Related Agricultural Burning Regulations," April 1996. San Bernardino County is a large county covering over 20,000 square miles, the majority of which is desert within the Mojave Desert (also known locally as the "High Desert" based on its elevation). MDAQMD's jurisdiction in the Palo Verde Valley portion of Riverside County covers an area approximately 30 miles wide along

the eastern boundary of the county adjoining the State of Arizona. *See also*, <https://www.mdaqmd.ca.gov/about-us/district-boundaries>.

² 40 CFR 81.305. The West Mojave Desert ozone nonattainment area also includes the Antelope Valley portion of Los Angeles County.

³ 43 FR 25684 (June 14, 1978).

⁴ Letter dated August 11, 1980, from Gary Rubenstein, Deputy Executive Officer, CARB to Paul DeFalco, Jr., EPA Regional Administrator—approved at 47 FR 25013 (June 9, 1982).

⁵ 47 FR 25013 (June 9, 1982).

⁶ The Palo Verde Valley portion of the MDAQMD covers an area approximately 30 miles wide along

the eastern boundary of the county adjoining the State of Arizona.

⁷ CARB submitted the SIP revision electronically on September 10, 2024 as an enclosure to a transmittal letter dated September 9, 2024.

⁸ CARB submitted the SIP revision electronically on November 15, 2024 as an enclosure to a transmittal letter dated November 13, 2024.

⁹ Letter dated September 9, 2024, from Steven S. Cliff, Ph.D., Executive Officer, CARB to Martha Guzman, Regional Administrator, EPA Region IX.

¹⁰ Letter dated November 13, 2024, from Steven S. Cliff, Ph.D., Executive Officer, CARB to Martha Guzman, Regional Administrator, EPA Region IX.

TABLE 1—MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT SIP RULES SUBMITTED FOR DISTRICT-WIDE APPLICABILITY—Continued

Rule No.	Title	Local adoption date	SIP approval date	FR citation
1115	Metal Parts and Products Coating Operations	June 8, 2020	May 9, 2022	87 FR 27526.
1116	Automotive Refinishing Operations	August 23, 2010	August 9, 2012	77 FR 47536.

TABLE 2—SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT SIP RULE RESCISSIONS SUBMITTED FOR APPROVAL

Rule No.	Title	Adopted/ amended date	SIP approval date and FR citation	Date of rescission by MDAQMD	Submittal date
1103	Pharmaceuticals and Cosmetics Manufacturing Operations.	April 4, 1980	July 8, 1982; 47 FR 29668 ...	April 22, 2024	November 15, 2024.
1115	Motor Vehicle Assembly Line Coating Operations.	March 6, 1992	December 20, 1993; 58 FR 66282.	March 25, 2024	September 10, 2024.
1125	Metal Container, Closure, and Coil Coating Operations.	August 2, 1991	April 14; 1994, 59 FR 17697	April 22, 2024	November 15, 2024.
1126	Magnet Wire Coating Operations.	March 6, 1992	December 20, 1993; 58 FR 66285.	April 22, 2024	November 15, 2024.
1151	Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations.	September 6, 1991	December 20, 1993; 58 FR 66282.	March 25, 2024	September 10, 2024.
1153	Commercial Bakery Ovens ...	January 4, 1991	September 29, 1993; 58 FR 50850.	June 24, 2024	November 15, 2024.
1159	Nitric Acid Units—Oxides of Nitrogen.	December 6, 1985	July 12, 1990; 55 FR 28622	June 24, 2024	November 15, 2024.
1173	Fugitive Emissions of Volatile Organic Compounds.	December 7, 1990	October 26, 1992; 57 FR 48457; corrected on January 16, 2004; 69 FR 2509.	April 22, 2024	September 10, 2024.

As noted previously, the far eastern portion of Riverside County, referred to as the Palo Verde Valley, joined the MDAQMD effective July 1, 1994. Because the EPA approved the rules in Table 1 as part of the California SIP after July 1, 1994, the date on which Palo Verde Valley portion of Riverside

County left the SCAQMD and joined the MDAQMD, these rules already apply throughout the entire present jurisdiction of the MDAQMD. No further action by the EPA is needed to address the request to apply these rules District-wide in the SIP.

As part of the November 15, 2024 SIP submission, the District and CARB also requested acknowledgement by the EPA that certain previously-approved SCAQMD Rules listed in Table 3 have already been removed from the Riverside County portion of the MDAQMD portion of the California SIP.

TABLE 3—SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT SIP RULES PREVIOUSLY REMOVED FROM THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT PORTION OF THE CALIFORNIA SIP

Rule No.	Title	Adopted/ amended date	SIP approval date and FR citation	Removed from SIP date; FR citation
1107	Miscellaneous Metal Parts, Products and Coating Operations.	August 2, 1991	December 20, 1993; 58 FR 66285.	December 12, 1997; 62 FR 67002; see also, May 9, 2022; 87 FR 27526.
1122	Solvent Metal Cleaners (Degreasers).	July 8, 1983	October 3, 1984; 49 FR 39057.	April 30, 1996; 61 FR 18962 (partial supersession); and September 17, 2007; 72 FR 5279 (supersession of remainder).
1171	Solvent Cleaning Operations	August 2, 1991	December 20, 1993; 58 FR 66285.	July 2, 2019; 84 FR 31682.

As to SCAQMD Rule 1107, “Miscellaneous Metal Parts, Products and Coating Operations,” (amended August 2, 1991) we confirm that the rule was superseded in the Riverside County portion of MDAQMD by approval of MDAQMD Rule 1115, “Metal Parts and Products Coating Operations,” (amended June 8, 2020) on December 23, 1997 (62 FR 67002; promulgated at

40 CFR 52.220(c)(239)(i)(A)(2)); see also, 40 CFR 52.220(c)(193)(i)(A)(4). No further action is required by EPA to confirm this prior action. As to SCAQMD Rule 1122, “Solvent Metal Cleaners (Degreasers),” (amended July 8, 1983) we confirm that the rule was superseded in the Riverside County portion of the MDAQMD in part by approval of MDAQMD Rule 1104,

“Organic Solvent Degreasing Operations,” (adopted September 28, 1994) on April 30, 1996 (61 FR 18962; promulgated at 40 CFR 52.220(c)(207)(i)(D)(2)) and later in final part by approval of MDAQMD Rule 442, “Usage of Solvents,” (amended February 27, 2006) on September 17, 2007 (72 FR 52791; promulgated at 40 CFR 52.220(c)(347)(i)(C)(1)). This

change was not previously reflected at 40 CFR 52.220(c)(148)(vi), and we intend to correct this in our final action. As to SCAQMD Rule 1171, “Solvent Cleaning Operations,” (amended August 2, 1991) we confirm that the rule was superseded in the Riverside County portion of the MDAQMD by approval of MDAQMD Rule 1104, “Organic Solvent Degreasing Operations,” (amended on April 23, 2018) on July 2, 2019 (84 FR 31682) and promulgated at 40 CFR 52.220(c)(519)(i)(A)(1). This change was not previously reflected at 40 CFR 52.220(c)(188)(i)(C), and we intend to correct this in our final action.

The September 10, 2024 SIP submission,¹¹ and the November 15, 2024 SIP submission¹² were deemed complete by operation of law with respect to the completeness criteria in 40 CFR part 51, appendix V on March 10, 2025 and May 15, 2025, respectively.

C. What was the purpose of the SIP-approved rules, and what is the purpose of the State’s rescission request?

Emissions of VOCs and NO_x contribute to the production of ground-level ozone, smog, and particulate matter (PM) which harm human health and the environment. Emissions of PM, including PM equal to or less than 2.5 microns in diameter (PM_{2.5}) and PM equal to or less than 10 microns in diameter (PM₁₀), contribute to effects that are harmful to human health and the environment, including premature mortality, aggravation of respiratory and cardiovascular disease, decreased lung function, visibility impairment, and damage to vegetation and ecosystems.

CAA section 110(a) requires States to submit regulations that control emissions of criteria air pollutants or their precursors, including VOC and NO_x, as part of the SIP. Over the years, MDAQMD’s predecessor agency in the Riverside County portion of the District, the SCAQMD, adopted many administrative and prohibitory rules to meet SIP requirements, including those that are the subject of this proposed action, that remain in the applicable SIP for the Riverside County portion of the MDAQMD. The purpose of the SIP submissions in this rulemaking is to align the SIP versions of the rules with those that are in effect in the MDAQMD.

The EPA’s technical support document (TSD) has more information about these rules.

II. The EPA’s Evaluation and Action

A. How is the EPA evaluating the requests for rescission?

Under CAA section 110(l), SIP revisions must be adopted by the state, and the state must provide for reasonable public notice and hearing prior to adoption.¹³ Rules in the SIP must be enforceable (see CAA section 110(a)(2)), must not interfere with applicable requirements concerning attainment and reasonable further progress or other CAA requirements (see CAA section 110(l)), and must not modify certain SIP control requirements in nonattainment areas without ensuring equivalent or greater emissions reductions (see CAA section 193). In approving new requirements into the SIP or removing existing requirements from the SIP, we consider whether these CAA requirements are met.

Generally, SIP rules must require implementation of Reasonably Available Control Technology (RACT) for each category of sources covered by a Control Techniques Guidelines (CTG) document as well as each major source of VOCs and NO_x in ozone nonattainment areas classified as Moderate or above (see CAA sections 182(b)(2) and 182(f)). A portion of the San Bernardino County portion of the MDAQMD is part of an ozone nonattainment area (referred to as “West Mojave Desert”) that is classified as Severe for the 2008 and 2015 ozone NAAQS.¹⁴ However, as noted previously, the Riverside County portion of the MDAQMD is unclassifiable or attainment for all of the NAAQS.

Guidance and policy documents that we used to evaluate enforceability, revision/relaxation and rule stringency requirements for the applicable criteria pollutants include the following:

1. “Issues Relating to VOC Regulation Cutpoints, Deficiencies, and Deviations,” EPA, May 25, 1988 (the Bluebook, revised January 11, 1990).
2. “Guidance Document for Correcting Common VOC & Other Rule Deficiencies,” EPA Region 9, August 21, 2001 (the Little Bluebook).
3. Letter dated February 12, 1990, from Johnnie L. Pearson, Chief Regional Activities Section, ROB, to Chief, Air Branch, Region I–X, Subject: “Review of State Regulation Recodifications.”

¹³ The EPA has reviewed the SIP submissions covered in this proposed action for compliance with CAA procedural requirements and found that all such requirements have been met.

¹⁴ 40 CFR 81.305.

B. Do the rule rescissions meet the evaluation criteria?

As noted above, the purpose for the submission of the MDAQMD rules and rescissions is to align the versions of the rules that are part of the SIP with the versions found in the current District rulebook. Below, we summarize our evaluation of the rescission requests for the SCAQMD rules in Table 2 for which there are no applicable sources and are replaced with SIP-approved MDAQMD rules. Then we considered the rescission requests for the SCAQMD rules in Table 3 for which there are corresponding MDAQMD rules. The EPA’s TSD contains additional details about our evaluation.

Rescission of SCAQMD Rules 1103, 1115, 1126, 1153, and 1159

The EPA has previously approved negative declarations certifying that the following types of sources are not located within the West Mojave Desert ozone nonattainment area: motor vehicle assembly plants and automotive manufacturing operations,¹⁵ petroleum refinery industry and chemical manufacturing industry,¹⁶ manufacturing of synthesized pharmaceutical products,¹⁷ operations for the surface coating of cans, containers, and coils,¹⁸ operations for

¹⁵ MDAQMD, Staff Report, “State Implementation Plan (SIP) Cleanup: Rescission of SCAQMD Rules 1115—Motor Vehicle Assembly Line Coating Operations and 1151—Motor Vehicle & Mobile Equipment Non-Assembly Line Coating Operations as they appear in the SIP for the Blythe/Palo Verde Valley portion of the Mojave Desert Air Quality Management District and acknowledge that SIP approved MDAQMD Rule 1116—Automotive Refinishing Operations along with various Federal Negative Declarations have replaced such rescinded rules in the SIP,” March 24, 2024, p. 3.

¹⁶ MDAQMD, Staff Report, “State Implementation Plan (SIP) Cleanup: Specifically, the Rescission of South Coast Air Quality Management District Rule 1173—Fugitive Emissions of Volatile Organic Compounds as it appears in the SIP for the Blythe/Palo Verde Valley portion of the Mojave Desert Air Quality Management District and to acknowledge that currently SIP approved MDAQMD Rule 1102 along with various SIP approved Federal Negative Declarations adequately regulate the source categories,” (“MDAQMD Staff Report Rule 1173”), April 22, 2024, p. 4.

¹⁷ MDAQMD, Staff Report, “State Implementation Plan Cleanup: Specifically, the rescission of South Coast Air Quality Management District Rules 1103—Pharmaceuticals & Cosmetics Manufacturing Operations, as they appear in the SIP for the Blythe/Palo Verde Valley portion of the Mojave Desert Air Quality Management District in Riverside County,” April 22, 2024, p. 8. The specific CTG is, “Control of Volatile Organic Emissions from Manufacture of Synthesized Pharmaceutical Products,” EPA-450/2-78-029, December 1978.

¹⁸ MDAQMD, Staff Report, “State Implementation Plan Cleanup: Specifically, the Rescission of South Coast Air Quality Management District Rules: 1125—Metal Container, Closure and Coil Coating Operations, and 1126—Magnet Wire Coating

¹¹ Letter dated September 9, 2024 from Steven S. Cliff, Ph.D., Executive Officer, CARB to Martha Guzman, Regional Administrator, EPA Region IX.

¹² Letter dated November 13, 2024 from Steven S. Cliff, Ph.D., Executive Officer, CARB to Martha Guzman, Regional Administrator, EPA Region IX.

the surface coating of magnet wire,¹⁹ commercial bakery ovens (*i.e.*, large enough to be subject to SCAQMD Rule 1153, “Commercial Bakery Ovens,” (amended May 13, 1991) (“SCAQMD Rule 1153”)),²⁰ and nitric and adipic acid manufacturing plants.²¹ The District indicated that its analysis for the negative declarations included the entire MDAQMD and not just the West Mojave Desert ozone nonattainment area. The EPA has also confirmed the absence of these types of sources in the Riverside County portion of the MDAQMD using Standard Industrial Classification (SIC) codes²² and CARB’s facility search tool California Emissions Inventory Data Analysis and Reporting System (CEIDARS) emissions database.²³ Based on the absence of applicable sources in the MDAQMD, the EPA concludes that the rescission of these rules would not interfere with attainment and RFP or any other requirement of the Act for the purposes of CAA section 110(l): SCAQMD Rule 1103, “Pharmaceuticals and Cosmetics Manufacturing Operations,” (amended April 4, 1980) (“Rule 1103”), SCAQMD Rule 1115, “Motor Vehicle Assembly Line Coating Operations,” (amended March 6, 1992) (“SCAQMD Rule 1115”), SCAQMD Rule 1126, “Magnet Wire

Coating Operations,” (amended March 6, 1992) (“SCAQMD Rule 1126”), SCAQMD Rule 1153, and SCAQMD Rule 1159, “Nitric Acid Units—Oxides of Nitrogen (amended February 10, 1986) (“SCAQMD Rule 1159”).

On that basis, we propose to approve the rescissions of SCAQMD Rules 1103, 1115, 1126, 1153, and 1159.

Rescission of SCAQMD Rule 1125

For the request to rescind SCAQMD Rule 1125, “Metal Container, Closure and Coil Coating Operations,” (amended August 2, 1991) (“SCAQMD Rule 1125”) the MDAQMD concluded that, in light of previous EPA-approved negative declarations for certain types of coating operations, existing SIP-approved MDAQMD Rule 1115 adequately covers the provisions of SCAQMD Rule 1125 for the coating operations not otherwise certified to be absent within the District.²⁴ For these reasons, the District requests rescission of SCAQMD Rule 1125.

The EPA has confirmed the absence of applicable sources for surface coating of cans and coils in the Riverside County portions of the District using CARB’s facility CEIDARS emission database and SIC codes. The EPA notes that the approved negative declarations do not address surface coating of drums. However, the EPA finds that the requirements for such coatings in MDAQMD Rule 1115 are essentially the same as the corresponding requirements for drums in SCAQMD Rule 1125.

Since MDAQMD Rule 1115 is already approved as part of the California SIP the limits and other requirements in SCAQMD Rule 1125 need not be retained in the SIP, and rescission of SCAQMD Rule 1125 would not interfere with attainment and RFP or any other requirement of the Act for the purposes of CAA section 110(l). For these reasons, the EPA is proposing to approve the rescission of SCAQMD Rule 1125 from the Riverside County portion of the MDAQMD portion of the California SIP.

Rescission of SCAQMD Rule 1151

For the request to rescind SCAQMD Rule 1151, “Motor Vehicle and Mobile Equipment Non-Assembly Line Coating

Operations,” (amended September 6, 1991) (“SCAQMD Rule 1151”), the MDAQMD concludes that, in light of certain EPA-approved negative declarations for certain types of coating operations, MDAQMD Rule 1116, “Automotive Refinishing Operations,” (amended August 23, 2010) (“MDAQMD Rule 1116”) adequately covers the provisions of the SCAQMD Rule 1151 for the automotive coating operations not otherwise certified to be absent within the District.²⁵ For these reasons, the District requests rescission of SCAQMD Rule 1151.

The District concludes that the provisions of SCAQMD Rule 1151 are found in MDAQMD Rule 1116 and requests rescission on that basis. To document this conclusion, the District provides a detailed comparison between the requirements in MDAQMD Rule 1116 with those in SCAQMD Rule 1151.²⁶ The EPA has reviewed the materials submitted by the MDAQMD and agrees that the requirements in SCAQMD Rule 1151 are found in MDAQMD Rule 1116. In addition, we find that the VOC content limits in MDAQMD Rule 1116 are as stringent or more stringent than the corresponding VOC content limits in SCAQMD Rule 1151. The EPA confirmed the absence of automotive manufacturing operations in the District, by using CARB’s facility CEIDARS emissions database and SIC codes.

MDAQMD Rule 1116 is approved as part of the SIP. As such, the requirements in SCAQMD Rule 1151 need not be retained in the SIP, and rescission of SCAQMD Rule 1151 would not interfere with attainment and RFP or any other requirement of the Act for the purposes of CAA section 110(l). For these reasons, the EPA is proposing to approve the rescission of SCAQMD Rule 1151 from the Riverside County portion of the MDAQMD portion of the California SIP.

Rescission of SCAQMD Rule 1173

Generally, SCAQMD Rule 1173, “Fugitive Emissions of Volatile Organic Compounds,” (amended December 7, 1990) (“SCAQMD Rule 1173”) is intended to control VOC leaks from

Operations as they appear in the SIP for the Blythe/Palo Verde Valley portion of the Mojave Desert Air Quality Management District and to acknowledge that SCAQMD Rule 1107—Miscellaneous Metal Parts, Products and Coating Operations has been rescinded from the SIP as previously requested, and that the currently SIP approved MDAQMD Rule 1115—Metal Parts & Products Coating Operations, along with various SIP approved Federal Negative Declarations adequately regulate the source categories,” (“MDAQMD Staff Report for SCAQMD Rules 1107, 1125, and 1126 and MDAQMD Rule 1115”) April 22, 2024, pp. 24–25.

¹⁹ MDAQMD Staff Report for SCAQMD Rules 1107, 1125, and 1126 and MDAQMD Rule 1115, pp. 24–25.

²⁰ MDAQMD, Staff Report, “State Implementation Plan Cleanup: Specifically, the Rescission of South Coast Air Quality Management District Rule 1153—Commercial Bakery Ovens as it appears appear in the SIP for the Blythe/Palo Verde Valley portion of the Mojave Desert Air Quality Management District.” June 28, 2024, p. 8.

²¹ MDAQMD, Staff Report, “State Implementation Plan Cleanup: Specifically, the Rescission of South Coast Air Quality Management District Rule 1159—Nitric Acid Units—Oxides of Nitrogen as it appears appear in the SIP for the Blythe/Palo Verde Valley portion of the Mojave Desert Air Quality Management District.” June 24, 2024, p. 8.

²² For each individual SIC code that the EPA used to search for the absence of sources in CARB’s facility CEIDARS emission database, please refer to our TSD for the applicable SCAQMD rule that is proposed to be removed from the Riverside County portion of the MDAQMD portion of the California SIP.

²³ CARB’s facility CEIDARS emissions database allows the public to search for stationary point criteria pollutant and air toxic emissions. This tool can be found at <https://ww2.arb.ca.gov/our-work/programs/ab-2588-air-toxics-hot-spots/facility-search-tool>.

²⁴ MDAQMD, Final Staff Report, State Implementation Plan Cleanup: Specifically, the rescission of SCAQMD Rule 1122—Solvent Metal Cleaners (Degreasers), and Rule 1171—Solvent Cleaning Operations, as they appear in the SIP for the Blythe/Palo Verde Valley portion of the Mojave Desert Air Quality Management District in Riverside County and to acknowledge that the currently SIP approved MDAQMD Rule 1104—Organic Solvent Degreasing Operations and Rule 442—Usage of Solvents, adequately regulate the emissions in question, February 26, 2024, pp. 11–12.

²⁵ MDAQMD, Final Staff Report, State Implementation Plan (SIP) Cleanup: Rescission of SCAQMD Rules 1115—Motor Vehicle Assembly Line Coating Operations and 1151—Motor Vehicle & Mobile Equipment Non-Assembly Line Coating Operations as they appear in the SIP for the Blythe/Palo Verde Valley portion of the Mojave Desert Air Quality Management District and acknowledge that SIP approved MDAQMD Rule 1116—Automotive Refinishing Operations along with various Federal Negative Declarations have replaced such rescinded rules in the SIP, March 25, 2024, p.2.

²⁶ *Id.* pp. 13–18.

valves, fittings, pumps, compressors, pressure relief devices, diaphragms, hatches, sight-glasses, and meters at refineries, chemical plants, oil and gas production fields, natural gas processing plants, and pipeline transfer stations.²⁷ SCAQMD Rule 1173 establishes leak control, component identification, operator inspection, maintenance and recordkeeping requirements and test methods for the components subject to the rule.²⁸

The MDAQMD states that the EPA approved negative declarations for petroleum refinery and chemical manufacturing industries in the MDAQMD. For these reasons, the District requests rescission of SCAQMD Rule 1173. In addition, the requirements in MDAQMD Rule 1102, “MDAQMD Fugitive Emissions of VOCs from Components at Pipeline Transfer Stations” (adopted October 26, 1994) (“MDAQMD Rule 1102”) and CARB’s Oil and Gas Regulation²⁹ cover the remaining requirements in SCAQMD Rule 1173 that are not covered by the negative declarations. Therefore, the District concludes that MDAQMD Rule 1102 adequately addresses VOC leaks associated with components at pipeline transfer stations.³⁰ For these reasons, the District requests rescission of SCAQMD Rule 1173.

The EPA confirmed the absence of refineries, chemical plants, oil and gas production fields and natural gas processing plants operating within the District by using the relevant SIC codes and CARB’s facility CEIDARS emissions database. However, there are pipeline transfer stations within the District. The EPA compared MDAQMD Rule 1102 and CARB’s Oil and Gas Regulation with SCAQMD Rule 1173 and we agree with the District that the California SIP adequately address VOC leaks from components at pipeline transfer stations within the District. Although the EPA approved the District’s negative declaration for the Oil and Natural Gas CTG³¹ within the West Mojave Desert ozone nonattainment area, CARB’s Oil

and Gas Regulation is approved into the California SIP and applies to pipeline transfer stations within the District. Based on the comparison between SCAQMD Rule 1173, MDAQMD Rule 1102, and CARB’s Oil and Gas Regulation, the EPA finds that the leak detection and repair requirements in MDAQMD Rule 1102 are less stringent than the corresponding requirements in SCAQMD Rule 1173. However, the corresponding requirements in CARB’s Oil and Gas Regulation are essentially the same as those in SCAQMD Rule 1173.

As such, the requirements in SCAQMD Rule 1173 need not be retained in the SIP, and rescission of SCAQMD Rule 1173 would not interfere with attainment and RFP or any other requirement of the Act for the purposes of CAA section 110(l). For these reasons, the EPA is proposing to approve the rescission of SCAQMD Rule 1173 from the Riverside County portion of the MDAQMD portion of the California SIP.

C. Proposed Action and Public Comment

As authorized in section 110(k)(3) of the Act, the EPA proposes to approve the rescission of SCAQMD Rules 1103, 1115, 1125, 1126, 1151, 1153, 1159, and 1173 from the Riverside County portion of the MDAQMD portion of the California SIP because they are no longer needed to meet any CAA requirement and because the rescissions would not interfere with RFP or attainment of any of the NAAQS or with any other applicable requirement of the CAA. We will accept comments from the public on this proposal until July 27, 2026. If we take final action to approve the rule rescissions, our final action will rescind the rules from the federally enforceable SIP.

III. Incorporation by Reference

In this document, the EPA is proposing to include in a final EPA rule regulatory text that deletes certain rules that were previously incorporated by reference from the applicable California SIP. The rules that were previously incorporated by reference are SCAQMD Rules 1103, 1115, 1125, 1126, 1151, 1153, 1159, and 1173 as listed in Table 2 of this document. The EPA has made, and will continue to make, these materials available through <https://www.regulations.gov> and at the EPA Region IX Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

IV. 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, or rescissions of 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 Order 12866 (58 FR 51735, October 4, 1993);
 - Is not an Executive Order 14192 (90 FR 9065, February 6, 2025) regulatory action because this action is not significant 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 proposes to approve 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 the 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).

²⁷ SCAQMD Rule 1173, subsection (a).

²⁸ SCAQMD Rule 1173, subsections (c)–(h).

²⁹ 17 CCR § 95666(a)(4) and (6).

³⁰ MDAQMD, Final Staff Report, State Implementation Plan (SIP) Cleanup: Specifically, the Rescission of South Coast Air Quality Management District Rule 1173—Fugitive Emissions of Volatile Organic Compounds as it appears in the SIP for the Blythe/Palo Verde Valley portion of the Mojave Desert Air Quality Management District and to acknowledge that currently SIP approved MDAQMD Rule 1102 along with various SIP approved Federal Negative Declarations adequately regulate the source categories, April 22, 2024, pp. 4, 6, and A–1–A–10.

³¹ “Control Techniques Guidelines for the Oil and Natural Gas Industry,” EPA 453/B–16–001, October 2016.

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, Volatile organic compounds.

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

Dated: June 17, 2026.

Michael Martucci,

Acting Regional Administrator, Region IX.

[FR Doc. 2026–12935 Filed 6–25–26; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

45 CFR Part 410

RIN 0970–AD26

Unaccompanied Children Program Foundational Rule; Sponsor Assessment Update To Include Proof of Identity, Background Check, Placement, and Income Verification Standards

AGENCY: Office of Refugee Resettlement (ORR), Administration for Children and Families (ACF), U.S. Department of Health and Human Services (HHS).

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice of proposed rulemaking (NPRM, or proposed rule) would establish certain additional requirements for sponsor suitability assessments related to proof of identity, proof of income, and other information required for background checks to promote the safe placement of unaccompanied alien children (UAC). This NPRM proposes acceptable documentation for proof of identity and would require proof of income from potential sponsors of UAC in ORR custody by reason of their immigration status, as described in the Homeland Security Act of 2002 (HSA) and the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (TVPR). This NPRM also proposes amendments to background check requirements for sponsor suitability assessments and the conduct of examinations of UAC related to considerations of UAC dangerousness to self or others that align with the One Big Beautiful Bill Act. Finally, this NPRM proposes certain administrative updates to align numbering and terminology between proposals and existing

regulations. The docket on <https://www.regulations.gov> will include a plain language summary of the NPRM.

DATES: Consideration will be given to comments on this rulemaking received on or before August 25, 2026.

ADDRESSES: You may send comments, identified by Docket ID ACF–2026–0199 and/or RIN 0970–AD26, by any of the following methods:

- **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the instructions for submitting comments.

- **Email:** UACPolicy-RegulatoryAffairs@acf.hhs.gov. Include Docket ID ACF–2026–0199 and/or RIN 0970–AD26 in the subject line of the message.

Instructions: All submissions received must include the agency name and docket number or RIN for this rulemaking. For detailed instructions on submitting comments and additional information on the rulemaking process, see the “Public Participation” heading of the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT:

Toby Biswas, Assistant Deputy Director-Policy, Unaccompanied Alien Children Bureau, Office of Refugee Resettlement, Administration for Children and Families, U.S. Department of Health and Human Services, Washington, DC, (202) 205–4440 or UACPolicy-RegulatoryAffairs@acf.hhs.gov.

SUPPLEMENTARY INFORMATION:

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I. Table of Abbreviations

ACF—Administration for Children and Families
 DHS—Department of Homeland Security
 DOJ—Department of Justice
 EOIR—Executive Office for Immigration Review
 HHS—U.S. Department of Health and Human Services
 HSA—Homeland Security Act of 2002
 ICE—Immigration and Customs Enforcement
 I&A—Integrity & Accountability
 FBI—Federal Bureau of Investigation
 OIG—Office of Inspector General
 OMB—Office of Management and Budget
 ORR—Office of Refugee Resettlement
 TVPRA—William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008
 UAC—Unaccompanied Alien Children
 USCIS—United States Citizenship and Immigration Services

II. Executive Summary

This NPRM proposes to amend the Unaccompanied Children Program Foundational Rule (the Foundational Rule), 45 CFR part 410, by establishing certain additional requirements intended to promote the safety of UAC when they are released to sponsors. The NPRM proposes adding a new paragraph (h) to existing § 410.1103 to explicitly authorize ORR to examine UAC in its custody for visible gang-related and/or other criminal organization-related tattoos (hereafter “gang-related”) markings, and/or brandings as part of ORR’s assessment of the UAC’s potential dangerousness to self or others or potential to be a victim of trafficking in persons. It would also establish, at § 410.1202(b) and (c), additional requirements for sponsor suitability assessments regarding proof of identity, proof of income, and background checks. Specifically, this NPRM proposes the establishment of a new requirement to submit proof of income, updated requirements for background checks, and a list of acceptable documentation for potential sponsors of UAC to demonstrate proof of identity. ORR is proposing these requirements in response to concerns identified by external and internal investigations of the safety of UAC who have been released from ORR custody, which include instances of suspected document fraud, identity fraud, identity misrepresentation, alias use, shared contact information, and exploitation.¹ These proposals have been carefully considered in light of ORR’s statutory obligation to ensure the well-being of each UAC in its care. In addition, this NPRM, based on recently enacted legislation that provided ORR funds for fiscal year 2025 through September 30, 2028 to support various activities, would propose clarifications to ORR’s existing practices, including with respect to sponsor background checks and examinations of UAC for gang-related tattoos or markings. See One Big Beautiful Bill Act, Public Law 119–21, tit. VIII, sub. tit. H, sec. 87001(b)(3) (July 4, 2025). Finally, this NPRM proposes

¹ See Minority Staff of S. Comm. on Homeland Sec. and Governmental Affs., 117th Cong., Federal Care of Unaccompanied Children: Minors Remain Vulnerable to Trafficking and Abuse (2022). [https://www.hsgac.senate.gov/wp-content/uploads/imo/media/doc/Federal%20Care%20of%20Unaccompanied%20Alien%20Children%20Report%20\(FINAL\).pdf](https://www.hsgac.senate.gov/wp-content/uploads/imo/media/doc/Federal%20Care%20of%20Unaccompanied%20Alien%20Children%20Report%20(FINAL).pdf); and U.S. Dept. of Health and Human Services, Office of Inspector General, Gaps in Sponsor Screening and Follow up Raise Safety Concerns for Unaccompanied Children, Report No. OEI–07–21–00250 (Feb. 8, 2024). <https://oig.hhs.gov/reports/all/2024/gaps-in-sponsor-screening-and-followup-raise-safety-concerns-for-unaccompanied-children/>.