

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Parts 52 and 81**

[EPA–R03–OAR–2024–0624; FRL–12500–02–R3]

Air Plan Approval; Pennsylvania; Redesignation of the Beaver County Nonattainment Area to Attainment and Approval of the Area's Maintenance Plan for the 2010 1-Hour Primary Sulfur Dioxide National Ambient Air Quality Standard**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving both a redesignation request and state implementation plan (SIP) revision submitted on August 12, 2024 by the Commonwealth of Pennsylvania. The request asked the EPA to redesignate the Beaver County, Pennsylvania area (Beaver County Area) from nonattainment to attainment for the 2010 1-hour primary sulfur dioxide (SO₂) national ambient air quality standard (NAAQS), while the SIP revision included Beaver County's maintenance plan for the 2010 1-hour primary SO₂ standard for the Beaver County Area. The EPA is approving this redesignation of the Beaver County Area from nonattainment to attainment for the 2010 SO₂ NAAQS and the revision to the Pennsylvania SIP in accordance with the requirements of the Clean Air Act (CAA).

DATES: This final rule is effective on December 18, 2025.

ADDRESSES: The EPA has established a docket for this action under Docket ID Number EPA–R03–OAR–2024–0624. All documents in the docket are listed on the 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 www.regulations.gov, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information.

FOR FURTHER INFORMATION CONTACT: Philip McGuire, Planning & Implementation Branch (3AD30), Air & Radiation Division, U.S. Environmental

Protection Agency, Region III, 1600 John F Kennedy Boulevard, Philadelphia, Pennsylvania 19103. The telephone number is (215) 814–2251. Mr. McGuire can also be reached via electronic mail at mcguire.philip@epa.gov.

SUPPLEMENTARY INFORMATION:**I. Background**

On July 24, 2025 (90 FR 34815), the EPA published a notice of proposed rulemaking (NPRM) for the Commonwealth of Pennsylvania. In the NPRM, the EPA proposed to redesignate the Beaver County, Pennsylvania area from nonattainment to attainment for the 2010 1-hour primary SO₂ NAAQS. The EPA also proposed approval of a revision to the Pennsylvania SIP which included Beaver County's maintenance plan for the 2010 1-hour primary SO₂ NAAQS, the approval of which is required for redesignation under CAA section 107(d)(3)(E). The formal SIP revision was submitted by Pennsylvania on August 12, 2024. The public comment period for the proposed rulemaking ended on August 25, 2025 and the EPA received no comments during the public comment period.

II. Summary of SIP Revision and the EPA Analysis

The July 24, 2025 proposal (90 FR 34815) provides a detailed discussion of the requirements of CAA section 107(d)(3)(E)—which identifies the five criteria that must be met before a nonattainment area may be redesignated to attainment—and the EPA's analysis of how each requirement was met. To summarize this discussion: (1) the EPA determined that the Beaver County Area attained the 2010 SO₂ NAAQS based on air quality monitoring data in compliance with the standard and on emissions data that is below modeled emissions limits identified in Pennsylvania's 2017 attainment plan; (2) the EPA determined that Pennsylvania has a fully approved SIP for the Beaver County Area under section 110(k) of the CAA for all requirements applicable for purposes of redesignation; (3) the EPA determined that the improvement in the Beaver County Area's air quality is due to permanent and enforceable reductions in emissions, including the closures of multiple facilities and permitted SO₂ emissions limits at various sources throughout the Beaver County Area; (4) the EPA determined that Pennsylvania's maintenance plan was fully approvable and ensures that the Beaver County Area will continue to attain the 2010 SO₂ NAAQS for at least 10 years following redesignation and further includes contingency measures to

correct for any potential future 2010 SO₂ NAAQS violations;¹ and (5) the EPA determined that Pennsylvania has met all applicable requirements for the Beaver County Area under CAA section 110 and part D. Additional rationale for the EPA's proposed action are explained in the NPRM, and will not be restated here. No public comments were received on the NPRM.

III. Final Action

The EPA is approving the redesignation of the Beaver County Area from nonattainment to attainment in accordance with Pennsylvania's August 12, 2024, request. The criteria under CAA section 107(d)(3)(E) as specific to the 2010 SO₂ NAAQS have been met. The EPA is determining that the Beaver County Area is attaining the 2010 SO₂ NAAQS, the state has a fully approved applicable state implementation plan under CAA section 110(k), the improvement in air quality is due to permanent and enforceable SO₂ emissions reductions in the Beaver County Area, the state now has a fully approved maintenance plan for the area (as noted below), and the state has met all requirements applicable to the area under CAA section 110 and part D of title I of the CAA. On this basis, the EPA is approving the redesignation request from Pennsylvania for the Beaver County Area and changing the legal designation of the Beaver County Area at 40 CFR part 81 to attainment for the 2010 SO₂ NAAQS.

The EPA is also approving the Beaver County 2010 SO₂ NAAQS maintenance plan as a revision to the Pennsylvania SIP. The maintenance plan demonstrates that the area will continue to maintain the 2010 SO₂ NAAQS for at least 10 years following redesignation and includes a process to implement contingency measures to remedy any future violations of the 2010 SO₂ NAAQS.

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 Clean Air 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 Clean Air Act. Accordingly, this action merely approves state law as meeting Federal requirements and does

¹ Any measured monitor exceedances of the NAAQS will also prompt a Pennsylvania Department of Environmental Protection-led investigation and enforcement, as appropriate.

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 January 20, 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

40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations,

Reporting and recordkeeping requirements, Sulfur oxides.

40 CFR Part 81

Environmental protection, Air pollution control, Carbon monoxide, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Amy Van Blarcom-Lackey,
Regional Administrator, Region III.

For the reasons stated in the preamble, the EPA amends 40 CFR parts 52 and 81 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 NN—Pennsylvania

- 2. In § 52.2020, the table in paragraph (e)(1) is amended by adding the entry “Maintenance Plan for the Beaver County, Pennsylvania Nonattainment Area for the 2010 Sulfur Dioxide Primary National Ambient Air Quality Standard” at the end of the table to read as follows:

§ 52.2020 Identification of plan.

*	*	*	*	*
(e)	*	*	*	*
(1)	*	*	*	*

Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
* * *	* * *	* * *	* * *	* * *
Maintenance Plan for the Beaver County, Pennsylvania Nonattainment Area for the 2010 Sulfur Dioxide Primary National Ambient Air Quality Standard.	Industry Borough, Shippingport Borough, Midland Borough, Brighton Township, Potter Township and Vanport Township.	8/12/2024	11/18/2025, 90 FR [INSERT FEDERAL REGISTER PAGE WHERE THE DOCUMENT BEGINS].	

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PART 81—DESIGNATION OF AREAS FOR AIR QUALITY PLANNING PURPOSES

- 3. The authority citation for part 81 continues to read as follows:

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

- 4. In § 81.339, amend the table entitled “Pennsylvania—2010 Sulfur Dioxide NAAQS [Primary],” by revising the first entry for “Beaver County (part)” to read as follows:

§ 81.339 Pennsylvania.

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PENNSYLVANIA—2010 SULFUR DIOXIDE NAAQS

[Primary]

Designated area ¹	Designation	
	Date ²	Type
* * * * * Beaver, PA Beaver County (part). Area consisting of Industry Borough, Shippingport Borough, Midland Borough, Brighton Township, Potter Township and Vanport Township. * * * * *	12/18/2025	Attainment.

¹ Includes any Indian country in each county or area, unless otherwise specified. EPA is not determining the boundaries of any area of Indian country in this table, including any area of Indian country located in the larger designation area. The inclusion of any Indian country in the designation area is not a determination that the state has regulatory authority under the Clean Air Act for such Indian country.

² This date is April 9, 2018, unless otherwise noted.

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 [FR Doc. 2025–20096 Filed 11–17–25; 8:45 am]
 BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA–HQ–OPP–2024–0176; FRL–12909–01–OCSPP]

Fluopyram; Pesticide Tolerances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation establishes tolerances for residues of fluopyram (CASRN 658066–35–4) in or on mango. Under the Federal Food, Drug, and Cosmetic Act (FFDCA), The United States Department of Agriculture—Foreign Agricultural Service (USDA–FAS) submitted a petition to EPA requesting that EPA establish a maximum permissible level for residues of this pesticide in or on the identified commodity.

DATES: This rule is effective on November 18, 2025. Objections and requests for hearings must be received on or before January 20, 2026 and must be filed in accordance with the instructions provided in 40 CFR part 178 (see also Unit I.C. of this document).

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA–HQ–OPP–2024–0176, is available at <https://www.regulations.gov>. Additional information about dockets generally, along with instructions for visiting the docket in person, is available at <https://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT: Charles Smith, Director, Registration Division (7505T), Office of Pesticide

Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; main telephone number: (202) 566–1030; email address: RDfRNotices@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Executive Summary

A. Does this action apply to me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

B. What is EPA’s authority for taking this action?

EPA is issuing this rulemaking under section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a. FFDCA section 408(b)(2)(A)(i) allows EPA to establish a tolerance (the legal limit for a pesticide chemical residue in or on a food) only if EPA determines that the tolerance is “safe.” FFDCA section 408(b)(2)(A)(ii) defines “safe” to mean that “there is a reasonable certainty that no harm will result from aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposures and all

other exposures for which there is reliable information.” This includes exposure through drinking water and in residential settings but does not include occupational exposure. FFDCA section 408(b)(2)(C) requires EPA to give special consideration to exposure of infants and children to the pesticide chemical residue in establishing a tolerance and to “ensure that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue . . .”

C. How can I file an objection or hearing request?

Under FFDCA section 408(g), 21 U.S.C. 346a(g), any person may file an objection to any aspect of this regulation and may also request a hearing on those objections. If you fail to file an objection to the final rule within the time period specified in the final rule, you will have waived the right to raise any issues resolved in the final rule. You must file your objection or request a hearing on this regulation in accordance with the instructions provided in 40 CFR part 178. To ensure proper receipt by EPA, you must identify the docket ID number EPA–HQ–OPP–2024–0176 in the subject line on the first page of your submission. All objections and requests for a hearing must be in writing and must be received by the Hearing Clerk on or before January 20, 2026.

The EPA’s Office of Administrative Law Judges (OALJ), in which the Hearing Clerk is housed, urges parties to file and serve documents by electronic means only, notwithstanding any other particular requirements set forth in other procedural rules governing those proceedings. See “Revised Order Urging Electronic Filing and Service,” dated June 22, 2023, which can be found at <https://www.epa.gov/system/files/documents/2023-06/2023-06-22%20->