

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.

Dated: October 29, 2015.
Ron Curry,
Regional Administrator, Region 6.
 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:

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

Subpart GG—New Mexico

■ 2. In § 52.1620(c) the second table titled “EPA Approved Albuquerque/Bernalillo County, NM Regulations” is amended by revising the entry for “Part 60 (20.11.60)” to read as follows:

§ 52.1620 Identification of plan.

* * * * *
 (c) * * *

EPA APPROVED ALBUQUERQUE/BERNALILLO COUNTY, NM REGULATIONS

| State citation | Title/subject | State approval/ effective date | EPA approval date | Explanation |
|--|------------------------------------|--------------------------------|-------------------|--|
| New Mexico Administrative Code (NMAC) Title 20—Environment Protection, Chapter 11—Albuquerque/Bernalillo County Air Quality Board | | | | |
| Part 60 (20.11.60) | Permitting in Nonattainment Areas. | 4/10/2013 | 11/12/2015 | [Insert Federal Register citation]. |

* * * * *
 [FR Doc. 2015–28648 Filed 11–10–15; 8:45 am]
BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2015–0289; FRL–9936–65–Region 9]

Approval of California Air Plan Revisions, Imperial County Air Pollution Control District

AGENCY: Environmental Protection Agency (EPA).
ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking final action to approve a revision to the Imperial County Air Pollution Control District (ICAPCD) portion of the California State Implementation Plan (SIP). This revision concerns the District’s

reasonably available control technology (RACT) requirements under the 1997 8-hour National Ambient Air Quality Standards (NAAQS) for ozone. This submitted SIP revision also contains ICAPCD’s negative declarations for certain volatile organic compound (VOC) source categories. We are approving this document under the Clean Air Act (CAA or the Act).

DATES: This rule is effective on December 14, 2015.

ADDRESSES: The EPA has established docket number EPA–R09–OAR–2015–0289 for this action. Generally, documents in the docket for this action are available electronically at <http://www.regulations.gov> or in hard copy at EPA Region IX, 75 Hawthorne Street, San Francisco, California 94105–3901. While all documents in the docket are listed at <http://www.regulations.gov>, some information may be publicly available only at the hard copy location (e.g., copyrighted material, large maps,

multi-volume reports), and some may not be available in either location (e.g., confidential business information (CBI)). To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: James Shears, EPA Region IX, (213) 244–1810, shears.james@epa.gov.

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

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- I. Proposed Action
- II. Public Comments and EPA Responses
- III. EPA Action
- IV. Statutory and Executive Order Reviews

I. Proposed Action

On September 1, 2015 (80 FR 52710), the EPA proposed to approve the following document into the California SIP.

| Local agency | Document | Adopted | Submitted |
|--------------|---|----------|-----------|
| ICAPCD | Final 2009 Reasonably Available Control Technology State Implementation Plan (“2009 RACT SIP”). | 07/13/10 | 12/21/10 |

ICAPCD’s submittal also included the following negative declarations which the District certified that it had no

sources subject to the control techniques guidelines (CTG) documents.

| CTG Source category | CTG Reference document |
|--|---|
| Aerospace | EPA-453/R-97-004, Aerospace CTG and MACT. |
| Automobile and Light-duty Trucks, Surface Coating of | EPA-450/2-77-008, Control of Volatile Organic Emissions from Existing Stationary Sources—Volume II: Surface Coating of Cans, Coils, Paper, Fabrics, Automobiles, and Light-Duty Trucks. |
| Cans and Coils, Surface Coating of | EPA-453/R-08-006, Control Techniques Guidelines for Automobile and Light-Duty Truck Assembly Coatings. |
| Fiberglass Boat Manufacturing | EPA-450/2-77-008, Control of Volatile Organic Emissions from Existing Stationary Sources—Volume II: Surface Coating of Cans, Coils, Paper, Fabrics, Automobiles, and Light-Duty Trucks. |
| Flat Wood Paneling, Surface Coating of | EPA-453/R-08-004, Controls Techniques Guidelines for Fiberglass Boat Manufacturing. |
| Flexible Packing Printing | EPA-450/2-78-032, Control of Volatile Organic Emissions from Existing Stationary Sources—Volume VII: Factory Surface Coating of Flat Wood Paneling. |
| Graphic Arts—Rotogravure and Flexography | EPA-453/R-06-004, Control Techniques Guidelines for Flat Wood Paneling Coatings. |
| Large Appliances, Surface Coating of | EPA-453/R-06-003, Control Techniques Guidelines for Flexible Package Printing. |
| Large Petroleum Dry Cleaners | EPA-450/2-78-033, Control of Volatile Organic Emissions from Existing Stationary Sources, Volume III: Graphic Arts—Rotogravure and Flexography. |
| Offset Lithographic Printing and Letterpress Printing | EPA-450/2-77-034, Control of Volatile Organic Emissions from Existing Stationary Sources—Volume V: Surface Coating of Large Appliances. |
| Magnet Wire, Surface Coating for Insulation of | EPA-453/R-07-004, Control Techniques Guidelines for Large Appliance Coatings. |
| Metal Furniture Coatings | EPA-450/3-82-009, Control of Volatile Organic Compound Emissions from Large Petroleum Dry Cleaners. |
| Miscellaneous Metal and Plastic Parts Coatings | EPA-453/R-06-002, Control Techniques Guidelines for Offset Lithographic Printing and Letterpress Printing. |
| Miscellaneous Metal Parts and Products, Surface Coating of | EPA-450/2-77-033, Control of Volatile Organic Emissions from Existing Stationary Sources—Volume IV: Surface Coating of Insulation of Magnet Wire. |
| Miscellaneous Industrial Adhesives | EPA-450/2-77-032, Control of Volatile Organic Emissions from Existing Stationary Sources—Volume III: Surface Coating of Metal Furniture. |
| Natural Gas/Gasoline Processing Plants Equipment Leaks | EPA-453/R-07-005, Control Techniques Guidelines for Metal Furniture Coatings. |
| Paper, Film and Foil Coatings | EPA-453/R-08-003, Control Techniques Guidelines for Miscellaneous Metal and Plastic Parts Coatings. |
| Petroleum Refineries | EPA-450/2-78-015, Control of Volatile Organic Emissions from Existing Stationary Sources—Volume IV: Surface Coating of Miscellaneous Metal Parts and Products. |
| Pharmaceutical Products | EPA-453/R-08-005, Control Techniques Guidelines for Miscellaneous Industrial Adhesives. |
| Pneumatic Rubber Tires, Manufacture of | EPA-450/2-83-007, Control of Volatile Organic Compound Equipment Leaks from Natural Gas/Gasoline Processing Plants. |
| Polyester Resin | EPA-453R-07-003, Control Techniques Guidelines for Paper, Film and Foil Coatings. |
| Shipbuilding/Repair | EPA-450/2-77-025, Control of Refinery Vacuum Producing Systems, Wastewater Separators, and Process Unit Turnarounds. |
| Synthetic Organic Chemical | EPA-450/2-78-036, Control of Volatile Organic Compound Leaks from Petroleum Refinery Equipment. |
| Wood Furniture | EPA-450/2-78-029, Control of Volatile Organic Emissions from Manufacture of Synthesized Pharmaceutical Products. |
| | EPA-450/2-78-030, Control of Volatile Organic Emissions from Manufacture of Pneumatic Rubber Tires. |
| | EPA-450/3-83-008, Control of Volatile Organic Compound Emissions from Manufacture of High-Density Polyethylene, Polypropylene, and Polystyrene Resins. |
| | EPA-450/3-83-006, Control of Volatile Organic Compound Leaks from Synthetic Organic Chemical Polymer and Resin Manufacturing Equipment. |
| | EPA-453/R-94-032, Shipbuilding/Repair. |
| | EPA-450/3-84-015, Control of Volatile Organic Compound Emissions from Air Oxidation Processes in Synthetic Organic Chemical Manufacturing Industry. |
| | EPA-450/4-91-031, Control of Volatile Organic Compound Emissions from Reactor Processes and Distillation Operations in Synthetic Organic Chemical Manufacturing Industry. |
| | EPA-453/R-96-007, Wood Furniture. |

We proposed to approve ICAPCD's 2009 RACT SIP and negative declarations because we determined that they complied with the relevant CAA requirements. Our proposed action contains more information on the submitted document and our evaluation.

II. Public Comments and EPA Responses

The EPA's proposed action provided a 30-day public comment period. During this period, we received no comments.

III. EPA Action

No comments were submitted. Therefore, as authorized in section 110(k)(3) of the Act, the EPA is fully approving this document, including the negative declarations, into the California SIP.

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 that 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) and 13563 (76 FR 3821, January 21, 2011);
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4);
- Does not have Federalism implications as specified in Executive

Order 13132 (64 FR 43255, August 10, 1999);

- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act; and
- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects using practicable, and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this approved action does not 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 rules do 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. The 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).

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 11, 2016. 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, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: October 19, 2015.

Jared Blumenfeld,
Regional Administrator, Region IX.

Part 52, 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 F—California

- 2. Section 52.220 is amended by adding reserved paragraph (c)(463) and adding paragraph (c)(464) to read as follows:

§ 52.220 Identification of plan.

* * * * *

(c) * * *

(463) [Reserved]

(464) The following plan was submitted on December 21, 2010 by the Governor's designee.

(i) [Reserved]

(ii) Additional Material.

(A) Imperial County Air Pollution Control District.

(1) Final 2009 Reasonably Available Control Technology State Implementation Plan ("2009 RACT SIP") as adopted on July 13, 2010.

- 3. Section 52.222 is amended by adding paragraph (a)(12) to read as follows:

§ 52.222 Negative declarations.

(a) * * *

(12) Imperial County Air Pollution Control District.

(i)

| CTG Source category | Negative declaration CTG reference document |
|---------------------|---|
| Aerospace | EPA-453/R-97-004, Aerospace CTG and MACT. |

| CTG Source category | Negative declaration CTG reference document |
|--|--|
| Automobile and Light-duty Trucks, Surface Coating of | EPA-450/2-77-008, Control of Volatile Organic Emissions from Existing Stationary Sources—Volume II: Surface Coating of Cans, Coils, Paper, Fabrics, Automobiles, and Light-Duty Trucks. EPA-453/R-08-006, Control Techniques Guidelines for Automobile and Light-Duty Truck Assembly Coatings. |
| Cans and Coils, Surface Coating of | EPA-450/2-77-008, Control of Volatile Organic Emissions from Existing Stationary Sources—Volume II: Surface Coating of Cans, Coils, Paper, Fabrics, Automobiles, and Light-Duty Trucks. |
| Fiberglass Boat Manufacturing | EPA-453/R-08-004, Controls Techniques Guidelines for Fiberglass Boat Manufacturing. |
| Flat Wood Paneling, Surface Coating of | EPA-450/2-78-032, Control of Volatile Organic Emissions from Existing Stationary Sources—Volume VII: Factory Surface Coating of Flat Wood Paneling. EPA-453/R-06-004, Control Techniques Guidelines for Flat Wood Paneling Coatings. |
| Flexible Packing Printing | EPA-453/R-06-003, Control Techniques Guidelines for Flexible Package Printing. |
| Graphic Arts—Rotogravure and Flexography | EPA-450/2-78-033, Control of Volatile Organic Emissions from Existing Stationary Sources, Volume III: Graphic Arts—Rotogravure and Flexography. |
| Large Appliances, Surface Coating of | EPA-450/2-77-034, Control of Volatile Organic Emissions from Existing Stationary Sources—Volume V: Surface Coating of Large Appliances. EPA-453/R-07-004, Control Techniques Guidelines for Large Appliance Coatings. |
| Large Petroleum Dry Cleaners | EPA-450/3-82-009, Control of Volatile Organic Compound Emissions from Large Petroleum Dry Cleaners. |
| Offset Lithographic Printing and Letterpress Printing | EPA-453/R-06-002, Control Techniques Guidelines for Offset Lithographic Printing and Letterpress Printing. |
| Magnet Wire, Surface Coating for Insulation of | EPA-450/2-77-033, Control of Volatile Organic Emissions from Existing Stationary Sources—Volume IV: Surface Coating of Insulation of Magnet Wire. |
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| Miscellaneous Metal Parts and Products, Surface Coating of | EPA-450/2-78-015, Control of Volatile Organic Emissions from Existing Stationary Sources—Volume IV: Surface Coating of Miscellaneous Metal Parts and Products. |
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| Paper, Film and Foil Coatings | EPA-453/R-07-003, Control Techniques Guidelines for Paper, Film and Foil Coatings. |
| Petroleum Refineries | EPA-450/2-77-025, Control of Refinery Vacuum Producing Systems, Wastewater Separators, and Process Unit Turnarounds. EPA-450/2-78-036, Control of Volatile Organic Compound Leaks from Petroleum Refinery Equipment. |
| Pharmaceutical Products | EPA-450/2-78-029, Control of Volatile Organic Emissions from Manufacture of Synthesized Pharmaceutical Products. |
| Pneumatic Rubber Tires, Manufacture of | EPA-450/2-78-030, Control of Volatile Organic Emissions from Manufacture of Pneumatic Rubber Tires. |
| Polyester Resin | EPA-450/3-83-008, Control of Volatile Organic Compound Emissions from Manufacture of High-Density Polyethylene, Polypropylene, and Polystyrene Resins. EPA-450/3-83-006, Control of Volatile Organic Compound Leaks from Synthetic Organic Chemical Polymer and Resin Manufacturing Equipment. |
| Shipbuilding/Repair | EPA-453/R-94-032, Shipbuilding/Repair. |
| Synthetic Organic Chemical | EPA-450/3-84-015, Control of Volatile Organic Compound Emissions from Air Oxidation Processes in Synthetic Organic Chemical Manufacturing Industry. EPA-450/4-91-031, Control of Volatile Organic Compound Emissions from Reactor Processes and Distillation Operations in Synthetic Organic Chemical Manufacturing Industry. |
| Wood Furniture | EPA-453/R-96-007, Wood Furniture. |

(ii) Submitted on December 21, 2010 and adopted on July 13, 2010.

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[FR Doc. 2015-28756 Filed 11-10-15; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R09-OAR-2015-0257; FRL-9934-89-Region 9]

Approval of Air Plans; California; Multiple Districts; Prevention of Significant Deterioration

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking final action under section 110 of the Clean Air Act (CAA or Act) to approve a State Implementation Plan (SIP) revision for five California air districts. The State of California (State) is required by the CAA to adopt and implement a SIP-approved Prevention of Significant Deterioration (PSD) permit program. This SIP revision incorporates PSD rules for five local California air districts into the California SIP to establish a PSD permit program for pre-construction review of certain new and modified major stationary sources in attainment and unclassifiable areas located within these districts. The local air districts with PSD rules that are the subject of this action are the Feather River Air Quality Management District (Feather River or FRAQMD), Great Basin Unified Air Pollution Control District (Great Basin or GBUAPCD), Butte County Air Quality Management District (Butte or BCAQMD), Santa Barbara County Air Pollution Control District (Santa Barbara or SBAPCD), and San Luis Obispo County Air Pollution Control District (San Luis Obispo or SLOAPCD)—collectively, the Districts.

DATES: This rule is effective on December 14, 2015.

ADDRESSES: The EPA has established docket number EPA-R09-OAR-2015-

0257 for this action. Generally, documents in the docket for this action are available electronically at www.regulations.gov and in hard copy at EPA Region IX, 75 Hawthorne Street, San Francisco, California. Some docket materials, however, may be publicly available only at the hard copy location (e.g., voluminous records, maps, copyrighted material), and some may not be publicly available in either location (e.g., confidential business information (CBI)). To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed in the **FOR FURTHER INFORMATION CONTACT** section. **FOR FURTHER INFORMATION CONTACT:** Lisa Beckham, EPA Region IX, (415) 972-3811, beckham.lisa@epa.gov.

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

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- III. The EPA’s Final Action
- IV. Incorporation by Reference
- V. Statutory and Executive Order Reviews

I. Background

Section 110(a) of the CAA requires states to adopt and submit regulations for the implementation, maintenance and enforcement of the primary and secondary NAAQS. Specifically, sections 110(a)(2)(C), 110(a)(2)(D)(i)(II), and 110(a)(2)(f) of the Act require such state plans to meet the applicable requirements of section 165 relating to a pre-construction permit program for the prevention of significant deterioration of air quality and visibility protection. The rules reviewed for this action are intended to implement a pre-construction PSD permit program as required by section 165 of the CAA for certain new and modified major stationary sources located in attainment and unclassifiable areas. Because the State does not currently have a SIP-approved PSD program within the Districts, the EPA is currently the PSD

permitting authority within these Districts under a Federal Implementation Plan (FIP). Approval of the Districts’ PSD rules into the SIP will transfer PSD permitting authority from the EPA to the Districts. The EPA will then assume the role of overseeing the Districts’ PSD permitting programs, as intended by the CAA.

For a more detailed discussion of the District’s rules, please refer to our proposed approval. See 80 FR 44001 (July 24, 2015).

II. The EPA’s Evaluation of the SIP Revision

A. Summary of the EPA’s Proposed Action

On July 24, 2015 (80 FR 44001), the EPA proposed approval of the Districts’ PSD rules into the California SIP. We proposed to approve these rules because we determined that they satisfied the applicable CAA requirements. Our proposed rule and related Technical Support document (TSD) contain more information about the basis for this rulemaking and our evaluation of the pertinent State SIP revision submittals.

B. Public Comments and the EPA’s Responses

EPA’s proposed approval action for this SIP revision provided a 30-day public comment period. We did not receive any comments on our proposed action.

C. What action is the EPA finalizing?

The EPA is finalizing a SIP revision for each District’s portion of the California SIP, consistent with our proposed approval action. The SIP revision will be codified in 40 CFR 52.220 by incorporating by reference the rules listed in Table 1. On June 1, 2015, the California Air Resources Board (CARB) requested the withdrawal from its earlier SIP submittals of the portion of each District PSD rule that incorporates by reference a particular federal PSD rule provision—40 CFR 52.21(b)(49)(v). As such, our approval of these local District rules does not include the rules’ incorporation by reference of 40 CFR 52.21(b)(49)(v).

TABLE 1—SUBMITTED RULES

| Local agency | Rule No. | Rule title | Adopted | Submitted |
|--------------|----------|--|-----------|-----------|
| FRAQMD | 10.10 | Prevention of Significant Deterioration | 8/1/2011 | 4/22/2013 |
| GBUAPCD | 221 | Prevention of Significant Deterioration (PSD) Permit Requirements for New Major Facilities or Major Modifications in Attainment or Unclassifiable Areas. | 9/5/2012 | 2/6/2013 |
| BCAQMD | 1107 | Prevention of Significant Deterioration (PSD) Permits | 6/28/2012 | 2/6/2013 |
| SBAPCD | 810 | Federal Prevention of Significant Deterioration (PSD) | 6/20/2013 | 2/10/2014 |