

service-connected disability, the Director of the Compensation Service or his or her delegatee, upon field station submission, is authorized to approve on the basis of the criteria set forth in this paragraph (b), an extra-schedular evaluation commensurate with the actual impairment of earning capacity due exclusively to the referred disability. The governing norm in these exceptional cases is a finding by the Director of the Compensation Service or delegatee that application of the regular schedular standards is impractical because the referred disability is so exceptional or unusual due to such related factors as marked interference with employment or frequent periods of hospitalization.

* * * * *

(Authority: 38 U.S.C. 501(a), 1155)

[FR Doc. 2016-08937 Filed 4-19-16; 8:45 am]

BILLING CODE 8320-01-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R01-OAR-2015-0243; A-1-FRL-9945-11-Region 1]

Air Plan Approval; Vermont; Stage I Vapor Recovery Requirements

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve a State Implementation Plan (SIP) revision submitted by the State of Vermont. This revision includes regulatory amendments that clarify Stage I vapor recovery requirements at gasoline dispensing facilities (GDFs). The intended effect of this action is to approve Vermont's revised Stage I vapor recovery regulations. This action is being taken in accordance with the Clean Air Act.

DATES: Written comments must be received on or before May 20, 2016.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-R01-OAR-2015-0243 at <http://www.regulations.gov>, or via email to Arnold.Anne@epa.gov. For comments submitted at Regulations.gov, follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from Regulations.gov. For either manner of submission, 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 <http://www2.epa.gov/dockets/commenting-epa-dockets>.

FOR FURTHER INFORMATION CONTACT: Ariel Garcia, Air Quality Planning Unit, U.S. Environmental Protection Agency, EPA New England Regional Office, 5 Post Office Square, Suite 100 (mail code: OEP05-2), Boston, MA 02109-3912, telephone number (617) 918-1660, fax number (617) 918-0660, email garcia.ariel@epa.gov.

SUPPLEMENTARY INFORMATION: In the Final Rules Section of this **Federal Register**, EPA is approving the State's SIP submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this action rule, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment.

For additional information, see the direct final rule which is located in the Rules Section of this **Federal Register**.

Dated: April 1, 2016.

H. Curtis Spalding,
Regional Administrator, EPA New England.

[FR Doc. 2016-09067 Filed 4-19-16; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R06-OAR-2014-0821; FRL-9945-10-Region 6]

Approval and Promulgation of Implementation Plans; Louisiana; Revisions to the New Source Review State Implementation Plan; Air Permit Procedure Revisions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing approval of portions of ten revisions to the Louisiana New Source Review (NSR) State Implementation Plan (SIP) submitted by the Louisiana Department of Environmental Quality (LDEQ). These revisions to the Louisiana SIP provide updates to the minor NSR and nonattainment new source review (NNSR) permit programs in Louisiana contained within the Chapter 5 Permit Procedures and Chapter 6 Regulations on Control of Emissions through the Use of Emission Reduction Credits (ERC) Banking rules as initially submitted on November 15, 1993, and the subsequent rule amendments for Air Permit Procedure revisions submitted through November 3, 2014. The EPA's final action will incorporate these rules into the federally approved SIP. The rules generally enhance the SIP and were evaluated in accordance with CAA guidelines for the EPA action on SIP submittals and general rulemaking authority. This proposed action is consistent with the requirements of section 110 of the CAA.

DATES: Written comments must be received on or before May 20, 2016.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-R06-OAR-2014-0821, at <http://www.regulations.gov> or via email to kordzi.stephanie@epa.gov. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from 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 Stephanie Kordzi, 214–665–7520, kordzi.stephanie@epa.gov. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <http://www2.epa.gov/dockets/commenting-epa-dockets>.

Docket: The index to the docket for this action is available electronically at www.regulations.gov and in hard copy at the EPA Region 6, 1445 Ross Avenue, Suite 700, Dallas, Texas. While all documents in the docket are listed in the index, some information may be publicly available only at the hard copy location (*e.g.*, copyrighted material), and some may not be publicly available at either location (*e.g.*, CBI).

FOR FURTHER INFORMATION CONTACT: Stephanie Kordzi, telephone (214) 665–7520, kordzi.stephanie@epa.gov. To inspect the hard copy materials, please schedule an appointment with Stephanie Kordzi at 214–665–7520 or Mr. Bill Deese at 214–665–7253.

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

Table of Contents

- I. Summary of State SIP Submittals for Chapter 5 and Chapter 6 Air Permit Program
 - A. November 15, 1993, Submittal
 - B. November 10, 1994, Submittal
 - C. July 25, 1997, Submittal
 - D. June 22, 1998, Submittal
 - E. June 27, 2003, Submittal
 - F. May 5, 2006, Submittal
 - G. November 9, 2007, Submittal
 - H. August 14, 2009, Submittal
 - I. August 29, 2013, Submittal
 - J. November 3, 2014, Submittal
- II. Evaluation
 - A. Revisions to the NSR Air Permit Procedures
 - B. Does the proposed approval of the Louisiana minor and nonattainment NSR Air Permit procedure revisions interfere with attainment, reasonable further progress, or any other applicable requirement of the Act?
- III. Proposed Action
- IV. Incorporation by Reference
- V. Statutory and Executive Order Reviews

I. Summary of State SIP Submittals for Chapter 5 and Chapter 6 Air Permit Program

The EPA is proposing approval of the SIP revisions submitted by the State of Louisiana. The proposed revisions modify Louisiana’s minor NSR and NNSR Chapters 5 Permit Procedure and

Chapter 6 Regulations on Control of Emissions through the Use of Emission Reduction Credits (ERC) Banking rules enacted at Louisiana Administrative Code (LAC) 33:III.501, 502, 503, 504, 511, 513.A.2., 513.A.3, 513.A.4., 513.A.5., 513.A.6., 513.B., 513.C., 515, 517, 519.A., 519.B., 521, 523, 525, 527, 529, 601, 603, 605, 607, 615, and 619. The revisions provide clarity to the rules, correct contradictory language, update permit application and fee requirements, revise the rules to conform to the latest Louisiana laws, and add to the “Insignificant Activities List”.

A. November 15, 1993, Submittal

On November 15, 1993, the LDEQ submitted revisions to the SIP. This SIP submittal incorporated revisions to the Louisiana Administrative Code (LAC) during the year 1993. It includes final revised regulation enacted at LAC 33:III, sections 501, 502, 503, 504, 505, 507, 511, 513, 515, 517, 519, 521, 523, 525, 527, 529, and 533. The EPA is proposing to take action on sections 501, 502, 503, 511, 513, 515, 517, 519, 523, 525, 527, and 529. The EPA already approved section 504 (NNSR Procedures) into the SIP on October 10, 1997, 62 FR 52948. The 504 rules were then subsumed into later SIP approval revisions. The EPA returned sections 505, 507, and 533 due to their association with the Title V operating permit program requirements to the LDEQ on August 4, 2015. The EPA is not taking action and severing section 513.A.1 (which references section 531), section 519.C. (which references section 531), and section 531 regarding public notice. Those specific sections will be addressed in a separate action. The EPA is not taking action and is severing section 501.B.1.d. at this time.

B. November 10, 1994, Submittal

On November 10, 1994, the LDEQ submitted revisions to the SIP. This SIP submittal incorporated revisions to the LAC published in the Louisiana Register on November 20, 1994. It includes final revised regulations enacted at LAC 33:III, sections 501, 507, 517, 521, 527, and 533. The EPA is proposing to take action on sections 501, 517, 521, and 527. The EPA returned sections 507 and 533 due to their association with the title V operating permit program requirements to LDEQ on August 4, 2015.

C. July 25, 1997, Submittal

On July 25, 1997, the LDEQ submitted the 1996 General revisions to the SIP. This SIP submittal incorporated revisions to LAC 33:III, sections 501,

504, 509, and 517 adopted during 1996. The EPA is proposing action on section 517. The EPA already approved sections 501, 504 and 509 on November 5, 2015 (80 FR 68451). Section 504 was approved in 1997 as noted above and revisions have been subsumed into the SIP since the EPA’s last action approving changes to the 504 rules on September 30, 2002 (67 FR 61260).

D. June 22, 1998, Submittal

On June 22, 1998, the LDEQ submitted the 1997 General revisions to the SIP. This SIP submittal incorporated revisions to the LAC during the year 1997 and revisions to the LAC not previously federally approved. It includes final revised regulation at LAC 33:III, sections 501, 509, and 517. The EPA is proposing action on sections 501 and 517. The EPA already approved section 509 on November 5, 2015 (80 FR 68451).

E. June 27, 2003, Submittal

On June 27, 2003, the LDEQ submitted the 2002 General revisions to the SIP. This SIP submittal incorporated revisions to the LAC during the year 2002. It includes final revised regulation LAC 33:III, section 501 covering the insignificant activities list. The EPA is proposing action on section 501.

F. May 5, 2006, Submittal

On May 5, 2006, the LDEQ submitted the 2005 General revisions to the SIP. This SIP submittal incorporated revisions to the LAC during the year 2005 and revisions to the LAC not previously federally approved. It includes final revised regulation sections LAC 33:III.501, 504, 505, 507, 509, 517, and 521. The EPA is proposing action on sections 501, 517, and 521. Since the last approval of section 504 in 2002, the EPA approved changes to section 504 as well as section 509 on November 5, 2015 (80 FR 68451). The EPA returned to LDEQ sections 505 and 507.C.3. due to their association with the title V operating permit program requirements on August 4, 2015. The EPA returned to LDEQ sections 507.H.4 and 507.H.5.d. due to their association with the title V operating permit program requirements on February 2, 2016.

G. November 9, 2007, Submittal

On November 9, 2007, the LDEQ submitted the 2006 General revisions to the SIP. This SIP submittal incorporated revisions to the LAC during the year 2006 and revisions to the LAC not previously federally approved. It includes final revised regulation sections at LAC 33:III.501, 504, 509,

513, 531, and 607. The EPA is proposing action on sections 513.A.2. and 513.A.6. The EPA already approved sections 501, 504, 509, and 607 on November 5, 2015 (80 FR 68451). The EPA is not taking action and severing section 513.A.1. (which references section 531) and section 531 regarding public notice. Those specific sections will be addressed in a separate action.

H. August 14, 2009, Submittal

On August 14, 2009, the LDEQ submitted the 2007 General revisions to the SIP. This SIP submittal incorporated revisions to the LAC during the year 2007 and includes revisions to the LAC not previously federally approved. It includes final revised regulation sections LAC 33:III.501, 504, 505, 506, and 507 contained in Chapter 5. It also includes final revised regulation sections LAC 33:III.603, 605, 607, 613, and 615 contained in Chapter 6. The EPA is proposing action on section 501. The EPA already approved sections 504, 603, 605, 607, 613, and 615 on November 5, 2015 (80 FR 68451). The EPA already approved section 506 on

April 17, 2014, (79 FR 21631). The EPA returned section 505 to LDEQ on February 2, 2016, because it addresses the Acid Rain Program Permitting Requirements, which are implemented in the title V program rather than the SIP. The EPA returned section 507 to LDEQ on February 2, 2016, because it concerns the title V program which is not part of a SIP.

I. August 29, 2013, Submittal

On August 29, 2013, the LDEQ submitted the 2008–2010 Volatile Organic Compounds Rule SIP Revision. This SIP submittal incorporated revisions to the LAC during the years 2008–2010 and includes revisions to final revised regulation section LAC 33:III.523. The EPA is proposing action on section 523.

J. November 3, 2014, Submittal

On November 3, 2014, the LDEQ submitted the 2011–2013 Permit Rule revisions to the SIP. This SIP submittal incorporated revisions to the LAC during the years 2011–2012. It includes final revised regulation sections LAC 33:III.211, 223, 317, 319, 501, 502, 503,

504, 523, 537, 601, 603, 605, 607, 615, 619, and 2132. The EPA is proposing action on sections 501, 502, 503, 504, 523, 601, 603, 605, 607, 615, and 619. The LDEQ withdrew sections 211 and 223 from SIP consideration by letter on December 2, 2015. The EPA is not acting on sections 317, 319, and 2132 because this action only addresses Chapters 5 and 6. The EPA is not taking action on section 537 (AQ286) and revised citation 501.B.2.d.i.(a) (AQ270) because the original 2008–2010 rule revision containing these sections was never submitted to the EPA. The EPA is not taking action and is severing section 501.B.1.d. at this time.

Table 1 below summarizes the changes that are in the SIP revision submittals. A summary of the EPA’s evaluation of each section and the basis for our proposed approval is included in this rulemaking. The accompanying Technical Support Document (TSD) includes a detailed evaluation of the submittals and our rationale. The TSD may be accessed online at www.regulations.gov, Docket No. EPA–R06–OAR–2014–0821.

TABLE 1—SUMMARY OF EACH NSR SIP SUBMITTAL AFFECTED BY THIS ACTION

Title of SIP submittal	Date submitted to EPA	Date of state adoption	Regulations affected
Air Permit Procedure Revisions	11/15/1993	1993	Sections 501, 502, 503, 511, 513, 515, 517, 519.A., 519.B., 521, 523, 525, 527, and 529.
Air Permit Procedure Revisions	11/10/1994	11/20/1994	Sections 501, 517, 521, and 527.
Air Permit Procedure Revisions	7/25/1997	1996	Section 517.
Air Permit Procedure Revisions	6/22/1998	1997	Sections 501 and 517.
Air Permit Procedure Revisions	6/27/2003	2002	Section 501.
Air Permit Procedure and ERC Banking Revisions	5/5/2006	2005	Sections 501, 517, and 521.
Air Permit Procedure and ERC Banking Revisions	11/9/2007	2006	Section 513.
Air Permit Procedure Revisions	8/14/2009	2007	Section 501.
2008–2010 Volatile Organic Compounds Rule	8/29/2013	9/20/2008	Section 523.
2011–2013 Permit Rule SIP Revision	11/3/2014	2011	Sections 501, 502, 503, 504, 523, 601, 603, 605, 615, and 619.

II. Evaluation

A. Revisions to the NSR Air Permit Procedures

We evaluated the SIP submissions and are proposing approval of the Louisiana Permit Procedures Revisions and ERC Banking Provisions, as identified, beginning with the November 15, 1993, through the November 3, 2014, submissions. The Act at section 110(a)(2)(C) requires states to develop and submit to the EPA for approval into the SIP, preconstruction review programs applicable to new and modified stationary sources of air pollutants for attainment and nonattainment areas that cover both major and minor new

sources and modifications, collectively referred to as the NSR SIP. The CAA NSR SIP program is composed of three separate programs: Prevention of Significant Deterioration (PSD), NNSR, and Minor NSR. PSD is established in part C of title I of the CAA and applies in areas that meet the National Ambient Air Quality Standards (NAAQS), *i.e.*, “attainment areas”, as well as areas where there is insufficient information to determine if the area meets the NAAQS, *i.e.*, “unclassifiable areas.” The NNSR SIP program is established in part D of title I of the CAA and applies in areas that are not in attainment of the NAAQS, *i.e.*, “nonattainment areas.” The Minor NSR SIP program addresses construction or modification activities

that do not emit, or have the potential to emit, beyond certain major source thresholds and thus do not qualify as “major” and applies regardless of the designation of the area in which a source is located. This particular SIP action will address the minor NSR and NNSR permitting programs.

The EPA regulations governing the criteria that states must satisfy for the EPA approval of the NSR programs as part of the SIP are contained in 40 CFR 51.160–51.166. However, the PSD rules are not being evaluated in this action and therefore 40 CFR 51.166 does not provide a basis for a decision in this proposal. In addition, there are several provisions in 40 CFR part 51 that apply generally to all SIP revisions. As stated

above, 40 CFR 51.160 establishes the enforceable procedures that all NSR programs must include. 40 CFR 51.160–51.164 require that a SIP revision demonstrate that the adopted rules will not interfere with any applicable requirement concerning attainment and reasonable further progress, or any other applicable requirement of the CAA. Based upon our evaluation of the submittals, the EPA has concluded that the submittals as ultimately revised meet the requirements of the CAA section 110(a).

Our evaluation found that May 20, 2012 and November 20, 2012 adopted revisions to the NNSR program, submitted on November 3, 2014 revised the program to address all nonattainment area pollutants and was necessary to ensure the Louisiana NNSR offset bank is able to be used in future instances where the State is designated nonattainment for other criteria pollutants. Prior to this action, the EPA proposed full approval of the major PSD and NNSR permitting program update, (80 FR 50240), specifically those NNSR requirements submitted prior to November 3, 2014. That action was finalized on November 5, 2015 (80 FR 68451).

Our evaluation of the proposed minor NSR revisions found the proposed revisions address requirements that enhance the SIP. These changes (1) define insignificant activities that will not require permitting; (2) correct contradictory language in the insignificant activities list; (3) provide edits to the Permit Procedure Rule as requested by the EPA; (4) include procedures for incorporating test results;

(5) unify and streamline name and ownership changes for all media; and (6) revise references to various LDEQ divisions. All of these changes will help to ensure that the LA Minor NSR rules to meet the CAA requirements.

B. Does the proposed approval of the Louisiana minor and nonattainment NSR Air Permit procedure revisions interfere with attainment, reasonable further progress, or any other applicable requirement of the Act?

We have determined that the regulations submitted to the EPA for approval as SIP revisions meet the requirements of CAA section 110(l). The EPA’s conclusion is based upon a line-by-line comparison of the proposed revisions with the federal requirements. The goal is to demonstrate that the proposed revisions will not interfere with the attainment of the NAAQS, Rate of Progress, RFP or any other applicable requirement of the CAA.

The EPA prepared a CAA section 110(l) analysis in its review of the proposed list to serve as a basis for demonstrating noninterference for the affected pollutants for any applicable requirement for attainment and reasonable further progress such as: (1) Turning a maintenance area back into a nonattainment area; (2) turning an attainment/unclassifiable area into a nonattainment area; (3) leading to a PSD increment exceedance; (4) causing the nonattainment area to have higher violations; or (5) causing a nonattainment area to have a greater number of NAAQS standard exceedances. This evaluation is contained in the individual tables for

each regulatory section and is found in Section IV Conclusion of the TSD. The TSD can be found in the docket for this action. The comparison demonstrates that the changes made to the Louisiana rules reflect either the same regulatory language, or are consistent with the requirements found in the federal rules. Further, the Additional Comments to the table contained in section IV for the proposed revisions to section 501 in the TSD contain supporting technical documentation establishing in detail a CAA section 110(l) analysis regarding the tables of Insignificant Activities defined in section 501. Specifically, the Section 501.B.3, Insignificant Activities list, submitted on 5/5/2006, revised the former submittal 11/10/1994, which was then subsumed by the 6/27/2003 submittal.

Our finding is based in part on the historic trends of ambient air quality for the NAAQS pollutants, including ozone and sulfur dioxide (SO₂), since those pollutants have caused past air quality issues.¹ The EPA took into consideration the following factors when making the decision to propose approval into the SIP of the permit exemptions listed in the Insignificant Activities tables in section 501:

- Compliance with the 8-hour ozone standard has improved state-wide with ozone pollutant concentrations trending downward with an average 23% decrease in ozone since the late 1980’s. This average decrease represents air monitoring values in the Louisiana cities of Baton Rouge, Lake Charles, Monroe, New Orleans, and Point Coupee Parish. 8-Hour ozone trends are listed in the table below:

LA cities	8-Hour ozone (ppb) 1986	8-Hour ozone (ppb) 2015	Reduction (%)
Baton Rouge	98	71	28
Lake Charles (Calcasieu Parish)	92	67	27
Monroe	73	61	16
New Orleans	89	70	22
Pointe Coupee Parish	85	67	21

- The Baton Rouge marginal ozone nonattainment area is currently monitoring attainment for the 2008 ozone NAAQS. The 8-Hour ozone values have dropped from 83 ppb in

2006–2008 down to 71 ppb design value for 2015 in Baton Rouge.

- Compliance with the SO₂ standard has improved significantly state-wide with SO₂ pollutant concentrations trending downward with an average 55% decrease in SO₂ since the mid

2000’s. This average value represents the Louisiana air monitoring locations of Baton Rouge, Lake Charles, Chalmette, Port Allen, Shreveport, and Meraux. SO₂ trends are listed in the table below:

¹ Supporting documentation is contained in the monitoring data of ambient air quality for NAAQS criteria for cities located throughout Louisiana. See

<http://www.deq.louisiana.gov/portal/DIVISIONS/Assessment/AirFieldServices/AmbientAir>

[MonitoringProgram/AmbientAirMonitoringDataandReports.aspx](#).

LA cities	SO ₂ (ppb) 2007	SO ₂ (ppb) 2013	Reduction (%)
Shreveport	21	12	43
Lake Charles	42	32	24
Baton Rouge	65	19	71
Meraux	32	19	41
Chalmette	331	112	66
Port Allen	143	23	84

- The EPA determined the St. Bernard 2010 SO₂ NAAQS nonattainment area was caused primarily by one large source of SO₂ emissions, the Rain CII Carbon LLC—Chalmette Coke Plant. The LDEQ is currently preparing a proposed SIP attainment demonstration, “*St. Bernard Parish SO₂ Nonattainment Area Louisiana SIP Revision*,” which was submitted to the EPA on April 1, 2015, for review. The EPA provided comments and is working with the LDEQ to ensure the SIP revision contains the appropriate emission limits to bring the area into attainment status. The St. Bernard SO₂ nonattainment area has documented SO₂ pollutant concentrations decreasing from a 331 ppm SO₂ design value in 2009 down to a 159 ppm SO₂ design value in 2014.

- Compliance with the Particulate Matter (PM₁₀) standard is maintained and is below regulatory NAAQS levels. PM₁₀ emission concentrations have trended downward an average 25% statewide since the mid 2000’s. The average statewide 24-hour PM₁₀ concentration is 28 ug/m³ which is 19% of the NAAQS level for PM₁₀. The average value represents the Louisiana air monitoring locations of Baton Rouge, New Orleans, Chalmette, Shreveport, and Lafayette.

- Compliance with the average statewide annual PM_{2.5} standards is maintained with an average annual maximum concentration of 10.8 ug/m³, which is below the average annual primary standard for PM_{2.5} of 12 ug/m³.

- The Baton Rouge Capitol air monitor is the only monitor collecting samples and analyzing for Carbon Monoxide (CO). The 2014 annual average CO value was 0.26 ppm and the maximum monitored value was 5.34 ppm which is below the 9 ppm standard (8 hour averaging time).

Since the list of exempted sources included in the proposed revisions have historically operated without coverage by an air permit and there are no anticipated increases in emissions or in the number of these type of sources resulting from the approval of the exempted list into the SIP, the EPA has determined the possibility of a low level of potential impacts on ambient air quality as a result of the emission sources and activities included in the proposed LAC 33:III section 501 exemptions list and this conclusion is supported by ambient air monitoring trends in the State of Louisiana.

Our determination is consistent with our assessment of the environmental insignificance of these emissions. In addition, the LDEQ has been carrying out the minor NSR air permitting program based on the codification of their permitting policy without any indication that these permit exempted sources have interfered with attainment or reasonable further progress or increased PSD increment. Therefore, the EPA proposes to approve the exemptions lists in section 501 into the Louisiana SIP.

Based on supporting air quality monitoring data documenting air quality

improvements throughout the State, the EPA proposes to approve Section 501 containing the list of the exempted sources into the Louisiana SIP since it meets the requirements of CAA section 110(l) and since state agencies are provided the latitude to define the types and sizes of facilities, buildings, structures, or installations subject to review in accordance with 40 CFR 51.160(e). We believe the implementation of this rule will not interfere with any applicable requirement concerning attainment and reasonable further progress, maintaining PSD increment, or any other applicable requirement of the CAA.

III. Proposed Action

The EPA proposes approval of the identified sections of the revisions to the air permitting procedures as submitted as revisions to the Louisiana NSR SIP Permit program on November 15, 1993, November 10, 1994, July 25, 1997, June 22, 1998, June 27, 2003, May 5, 2006, November 9, 2007, August 14, 2009, August 29, 2013, and November 3, 2014, submittals. The EPA has made the determination in accordance with the CAA and the EPA regulations at 40 CFR 51.160–51.165. Therefore, under section 110 and part C of the Act, and for the reasons presented above and in our accompanying TSD, the EPA proposes approval of the revisions to the Louisiana SIP identified in Table 2 below which summarizes each regulatory citation that is affected by this action.

TABLE 2—SUMMARY OF EACH REGULATION THAT IS AFFECTED BY THIS ACTION

Section	Date submitted to EPA as SIP amendment	Affected regulation
Section 501—Scope and Applicability		
Section 501.A	11/15/1993	Sections 501.A.1. and A.2.
Section 501.B	11/15/1993	Sections 501.B.1.a., B.1.b., B.1.c., B.2., B.3., B.4., B.5., B.6., and B.7.
	11/10/1994	Sections 501.B.5.A and 501.B.5.B.
	6/22/1998	Sections 501.B.3.c. and 501.B.3.d.
	6/27/2003	Section 501.B.5.
	5/5/2006	Sections 501.B.5, 501.B.32, and 501.D.a.–d.
	11/3/2014	Sections 501.B.1.c., 501.B.1.e., 501.B.4.a.i., 501.B.5. Table 1, and 501.B.8.
Section 501.C	11/15/1993	Sections 501.C.1., C.2., C.3., C.4., C.5., C.6., C.7., C.8., and C.9.
	5/5/2006	Section 501.C.1.
	11/9/2007	Sections 501.C.11., C.12., and C.13.

TABLE 2—SUMMARY OF EACH REGULATION THAT IS AFFECTED BY THIS ACTION—Continued

Section	Date submitted to EPA as SIP amendment	Affected regulation
	8/14/2009	Section 501.C.1.
Section 502—Definitions		
Section 502	11/15/1993	Section 502 Definitions— <i>Clean Air Act, EPA, Final Permit, Fugitive Emissions, Permit Revision, Permit Renewal, Permitting Authority, Potential to Emit, Proposed Permit, Stationary Source.</i>
	11/3/2014	<i>Portions of definitions as outlined in Technical Support Document for: Emissions Unit, Regulated Air Pollutant, Responsible Official, and title I Modification.</i> Section 502.A. Definitions— <i>Nonroad Engine.</i>
Section 503—Minor Source Permit Requirements		
Section 503.A	11/15/1993	Section 503.A.
Section 503.B	11/15/1993	Sections 503.B., 503.B.1., 503.B.2., and 503.B.3.
	11/3/2014	Section 503.B.2.
Section 504—Nonattainment New Source Review (NNSR) Procedures and Offset Requirements in Specified Parishes		
504.A	11/3/2014	Sections 504.A.2., 504.A.3., and 504.A.4.
504.D	11/3/2014	Section 504.D.5.
504.F	11/3/2014	Sections 504.F.1., 504.F.2.
504.M	11/3/2014	Sections 504.M., 504.M.1, 504.M.2.a.–c., 504.M.3., and 504.M.4.
Section 511—Emission Reductions		
Section 511	11/15/1993	Section 511.
Section 513—General Permits, Temporary Sources, and Relocation of Portable Facilities		
Section 513.A	11/15/1993	Sections 513.A.2., 513.A.3., 513.A.4., and 513.A.5.
	11/9/2007	Sections 513.A.2., 513.A.6.
Section 513.B	11/15/1993	Sections 513.B.1., B.2., B.3., and B.4.
Section 513.C	11/15/1993	Sections 513.C.1., 513.C.2., and 513.C.3.
Section 515—Oil and Gas Wells and Pipelines Permitting Provisions		
Section 515	11/15/1993	Section 515.
Section 515.A	11/15/1993	Sections 515.A.1., 515.A.2, 515.A.3., 515.A.4., 515.A.5.
Section 515.B	11/15/1993	Sections 515.B.1., 515.B.2.
Section 517—Permit Applications and Submittal of Information		
Section 517.A	11/15/1993	Sections 517.A., 517.A.1., 517.A.2., 517.A.3.
	6/22/1998	Section 517.A.3.
Section 517.B	11/15/1993	Sections 517.B., 517.B.1., 517.B.2., and 517.B.3.
Section 517.C	11/15/1993	Section 517.C.
Section 517.D	11/15/1993	Sections 517.D., 517.D.1, 517.D.2., 517.D.3., 517.D.4., 517.D.5., 517.D.6., 517.D.7., 517.D.8., 517.D.9., 517.D.10., 517.D.11., 517.D.12., 517.D.13., 517.D.14., 517.D.15., 517.D.16., 517.D.17., and 517.D.18.
Section 517.E	11/15/1993	Sections 517.E., 517.E.1., 517.E.2., 517.E.3., 517.E.4., 517.E.5., 517.E.6., 517.E.7., and 517.E.8.
Section 517.F	11/15/1993	Sections 517.F., 517.F.1., 517.F.2., 517.F.3., 517.F.4., 517.F.5., 517.F.6., 517.F.7., and 517.F.8.
	11/10/1994	Section 517.F.1.
	7/25/1997	Section 517.F.
Section 517.G	11/15/1993	Section 517.G.
	5/5/06	Section 517.G.
Section 519—Permit Issuance Procedures for New Facilities, Initial Permits, Renewals and Significant Modifications		
Section 519.A	11/15/1993	Sections 519.A., 519.A.1., 519.A.2., 519.A.3., and 519.A.4.
Section 519.B	11/15/1993	Sections 519.B., 519.B.1., and 519.B.2.
Section 521—Administrative Amendments		
Section 521.A	5/5/06	Section 521.A.3.
	11/10/1994	Section 521.A.6.

TABLE 2—SUMMARY OF EACH REGULATION THAT IS AFFECTED BY THIS ACTION—Continued

Section	Date submitted to EPA as SIP amendment	Affected regulation
Section 523—Procedures for Incorporating Test Results		
Section 523.A	11/15/1993 11/3/2014	Sections 523.A.1. and A.2. Section 523.A.1.b.
Section 523.B	11/15/1993 8/29/2013	Sections 523.B.1., B.2., B.3., and B.4. Sections 523.B.3., 523.B.4., and 523.B.5.
Section 525—Minor Modifications		
Section 525.A	11/15/1993	Sections 525.A., 525.A.1., 525.A.2., and 525.A.3.
Section 525.B	11/15/1993	Sections 525.B., 525.B.1., and 525.B.2.
Section 527—Significant Modifications		
Section 527.A	11/15/1993 11/10/1994	Sections 527.A., 527.A.1., 527.A.2., and 527.A.3. Sections 527.A.2., 527.A.2.c.
Section 527.B	11/15/1993 11/10/1994	Sections 527.B., 527.B.1., 527.B.2., 527.B.3., 527.B.4., and 527.B.5. Section 527.B.
Section 529—Reopenings for Cause		
Section 529.A	11/15/1993	Sections 529.A., 529.A.1., and 529.A.2.
Section 529.B	11/15/1993	Sections 529.B., 529.B.1., 529.B.2., 529.B.3., and 529.B.4.
Section 601—Purpose		
Section 601.A	11/3/2014	Section 601.A.
Section 603—Applicability		
Section 603.A	11/3/2014	Section 603.A.
Section 603.B	11/3/2014	Section 603.B.
Section 605—Definitions		
Section 605.A	11/3/2014	Section 605.A. Definitions— <i>Bankable Emission Reductions and Offset</i> , Repealed Definitions— <i>Base Case Inventory, Base Line Inventory, Current Total Point-Source Emissions Inventory, Modeled Parishes.</i>
Section 607—Determination of Creditable Emission Reductions		
Section 607.C	11/3/2014	Sections 607.C., 607.C.1., and 607.C.4.
Section 615—Schedule for Submitting Applications		
Section 615.B	11/3/2014	Section 615.B.
Section 619—Emission Reduction Credit Bank		
Section 619.A	11/3/2014	Section 619.A.

IV. Incorporation by Reference

In this action, we are proposing to include in a final rule regulatory text that includes incorporation by reference. In accordance with the requirements of 1 CFR 51.5, we are proposing to incorporate by reference revisions to the Louisiana regulations as described in the Proposed Action section above. We have made, and will continue to make, these documents generally available electronically through www.regulations.gov and/or in hard copy at the EPA Region 6 office.

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 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 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 Orders 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 CAA; 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, 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 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).

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, and Volatile organic compounds.

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

Dated: April 7, 2016.

Ron Curry,

Regional Administrator, Region 6.

[FR Doc. 2016–08927 Filed 4–19–16; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 131

[EPA–HQ–OW–2015–0804; FRL–9945–03–OW]

RIN 2040–AF59

Proposal of Certain Federal Water Quality Standards Applicable to Maine

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) proposes federal Clean Water Act (CWA) water quality standards (WQS) that would apply to certain waters under the state of Maine's jurisdiction. EPA proposes human health criteria (HHC) to protect the sustenance fishing use in those waters in Indian lands and for waters subject to sustenance fishing rights under the Maine Implementing Act (MIA) based on a fish consumption rate that represents an unsuppressed level of fish consumption by the four federally recognized tribes. EPA proposes six additional WQS for waters in Indian lands in Maine, two WQS for all waters in Maine including waters in Indian lands, and one WQS for waters in Maine outside of Indian lands. These proposed WQS take into account the best available science, including local and regional information, as well as applicable EPA policies, guidance, and legal requirements, to protect human health and aquatic life. EPA proposes these WQS to address various disapprovals of Maine's standards that EPA issued in February, March, and June 2015, and to address the Administrator's determination that Maine's disapproved HHC are not adequate to protect the designated use of sustenance fishing for certain waters.

DATES: Comments must be received on or before June 20, 2016.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–HQ–OW–2015–0804 at <http://www.regulations.gov>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from Regulations.gov. 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. 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, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <http://www.epa.gov/dockets/commenting-epa-dockets>. EPA is offering two virtual public hearings so that interested parties may also provide oral comments on this proposed rule. The first hearing will be on Tuesday, June 7, 2016 from 5:00 p.m. to 7:00 p.m. Eastern Daylight Time. The second hearing will be on Thursday, June 9, 2016 from 9:00 a.m. to 11:00 a.m. Eastern Daylight Time. For more details on the public hearings and a link to register, please visit <http://www.epa.gov/wqs-tech/proposed-rule-maine-water-quality-standards>.

FOR FURTHER INFORMATION CONTACT:

Jennifer Brundage, Office of Water, Standards and Health Protection Division (4305T), Environmental Protection Agency, 1200 Pennsylvania Avenue NW., Washington, DC 20460; telephone number: (202) 566–1265; email address: Brundage.jennifer@epa.gov.

SUPPLEMENTARY INFORMATION: This proposed rule is organized as follows:

- I. General Information
 - Does this action apply to me?
- II. Background
 - A. Statutory and Regulatory Background
 - B. EPA's Disapprovals of Portions of Maine's Water Quality Standards
 - C. Scope of Waters
 - D. Applicability of EPA Promulgated Water Quality Standards When Final
- III. CWA 303(c)(4)(B) Determination of Necessity for Human Health Criteria That Protect Sustenance Fishing
- IV. Proposed Water Quality Standards
 - A. Proposed WQS for Waters in Indian Lands in Maine and for Waters Outside of Indian Lands in Maine Where the Sustenance Fishing Designated Use Established by 30 M.R.S. 6207(4) and (9) Applies
 - B. Proposed WQS for Waters in Indian Lands in Maine
 - C. Proposed WQS for All Waters in Maine
 - D. Proposed WQS for Waters in Maine Outside of Indian Lands
- V. Economic Analysis
 - A. Identifying Affected Entities
 - B. Method for Estimating Costs
 - C. Results
- VI. Statutory and Executive Order Reviews
 - A. Executive Order 12866 (Regulatory Planning and Review) and Executive Order 13563 (Improving Regulation and Regulatory Review)
 - B. Paperwork Reduction Act