

EPA-APPROVED MAINE REGULATIONS

State citation	Title/subject	State effective date	EPA approval date EPA approval date and citation <sup>1</sup>	Explanations
Chapter 137 .....	Emission Statements ..	11/08/2008	05/01/2017 [Insert <b>Federal Register</b> citation].	The entire chapter is approved with the exception of HAP and greenhouse gas reporting requirements which were withdrawn from the State's SIP revision: Sections 1(C), (E), and (F); Definitions 2(A) through (F) and (I); Sections 3(B) and (C); the last sentence of Section 4(D)(5); and Appendix A and B.

<sup>1</sup> In order to determine the EPA effective date for a specific provision listed in this table, consult the **Federal Register** notice cited in this column for the particular provision.

\* \* \* \* \*  
 [FR Doc. 2017-08648 Filed 4-28-17; 8:45 am]  
 BILLING CODE 6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[EPA-R04-OAR-2016-0615; FRL-9961-48-Region 4]

**Air Plan Approval; TN: Non-Interference Demonstration for Federal Low-Reid Vapor Pressure Requirement in Middle Tennessee**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is approving the State of Tennessee's November 21, 2016, revision to its State Implementation Plan (SIP), submitted through the Tennessee Department of Environment and Conservation (TDEC), in support of the State's request that EPA change the federal Reid Vapor Pressure (RVP) requirements for Davidson, Rutherford, Sumner, Williamson, and Wilson Counties (hereinafter referred to as the "Middle Tennessee Area" or "Area"). Tennessee's November 21, 2016, SIP submittal revises its maintenance plan for the Middle Tennessee Area for the 1997 8-hour ozone national ambient air quality standard (NAAQS) and demonstrates that relaxing the federal RVP requirements in this Area would not interfere with the Area's ability to meet the requirements of the Clean Air Act (CAA or Act). Specifically, Tennessee's SIP revision concludes that relaxing the federal RVP requirement from 7.8 pounds per square inch (psi) to 9.0 psi for gasoline sold between June 1 and September 15 of each year in the Area would not interfere with

attainment or maintenance of the NAAQS or with any other CAA requirement. EPA has determined that Tennessee's November 21, 2016, SIP revision is consistent with the applicable provisions of the CAA.

**DATES:** This rule is effective May 1, 2017.

**ADDRESSES:** EPA has established a docket for this action under Docket Identification No. EPA-R04-OAR-2016-0615. All documents in the docket are listed on the [www.regulations.gov](http://www.regulations.gov) Web site. Although listed in the index, some information may not be publicly available, *i.e.*, Confidential Business Information or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically through [www.regulations.gov](http://www.regulations.gov) or in hard copy at the Air Regulatory Management Section, Air Planning and Implementation Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303-8960. EPA requests that if at all possible, you contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office's official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding federal holidays.

**FOR FURTHER INFORMATION CONTACT:** D. Brad Akers, Air Regulatory Management Section, Air Planning and Implementation Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303-8960. Mr. Akers can be reached via telephone at (404)

562-9089 or via electronic mail at [akers.brad@epa.gov](mailto:akers.brad@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. What is the background for this final action?**

On November 21, 2016, Tennessee submitted a SIP revision consisting of a revision to its 110(a)(1) maintenance plan for the 1997 8-hour ozone NAAQS for the Middle Tennessee Area and the technical noninterference demonstration supporting the State's request to change the federal RVP requirements from 7.8 psi to 9.0 psi in the Area. In a notice of proposed rulemaking (NPR) published on February 24, 2017 (82 FR 11517), EPA proposed to approve the State's noninterference demonstration and the updates to updated emissions inventory and projections associated with the mobile source modeling used in the State's noninterference demonstration related to RVP. The details of Tennessee's submittal and the rationale for EPA's actions are explained in the NPR. EPA did not receive any adverse comments on the proposed action.

**II. Final Action**

EPA is approving Tennessee's November 21, 2016, SIP revision consisting of a revision to its 110(a)(1) maintenance plan for the 1997 8-hour ozone NAAQS for the Middle Tennessee Area and the technical noninterference demonstration supporting the State's request to change the federal RVP requirements from 7.8 psi to 9.0 psi in the Area. Specifically, EPA is finalizing updated emissions inventory and projections associated with the mobile source modeling used in the State's noninterference demonstration related to RVP. EPA has determined that the change in the RVP requirements for Davidson, Rutherford, Sumner, Williamson, and Wilson Counties will

not interfere with attainment or maintenance of any NAAQS or with any other applicable requirement of the CAA.

EPA has determined that Tennessee's November 21, 2016, RVP-related SIP revision is consistent with the applicable provisions of the CAA for the reasons provided in the NPR. Through this action, EPA is not removing the federal 7.8 psi RVP requirement for Davidson, Rutherford, Sumner, Williamson, and Wilson Counties. Any such action would occur in a separate rulemaking.

In accordance with 5 U.S.C. 553(d), EPA finds that there is good cause for this action to become effective immediately upon publication. This is because a delayed effective date is unnecessary because today's action approves a noninterference demonstration that will serve as the basis of a subsequent action to relieve the Area from certain CAA requirements that would otherwise apply to it. The immediate effective date for this action is authorized under both 5 U.S.C. 553(d)(1), which provides that rulemaking actions may become effective less than 30 days after publication if the rule grants or recognizes an exemption or relieves a restriction, and section 553(d)(3), which allows an effective date less than 30 days after publication as otherwise provided by the agency for good cause found and published with the rule. The purpose of the 30-day waiting period prescribed in section 553(d) is to give affected parties a reasonable time to adjust their behavior and prepare before the final rule takes effect. This rule, however, does not create any new regulatory requirements such that affected parties would need time to prepare before the rule takes effect. Rather, this rule will serve as a basis for a subsequent action to relieve the Area from certain CAA requirements. For these reasons, EPA finds good cause under 5 U.S.C. 553(d)(3) for this action to become effective on the date of publication of this action.

### III. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submittal that complies with the provisions of the Act and applicable federal regulations. See 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action

merely approves state law as meeting federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive 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, October 7, 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 rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000) nor will it impose substantial direct costs on tribal governments or preempt tribal law.

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must

submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by June 30, 2017. 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, Particulate matter, Reporting and recordkeeping requirements and Volatile organic compounds.

Dated: March 31, 2017.

V. Anne Heard,

Acting Regional Administrator, Region 4.

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 RR—Tennessee

■ 2. Section 52.2220(e) is amended by adding a new entry for "1997 8-hour ozone maintenance plan update for the Middle Tennessee Area and RVP standard" at the end of the table to read as follows:

#### § 52.2220 Identification of plan.

\* \* \* \* \*

(e) \* \* \*

## EPA-APPROVED TENNESSEE NON-REGULATORY PROVISIONS

Name of non-regulatory SIP provision	Applicable geographic or nonattainment area	State effective date	EPA approval date	Explanation
* 1997 8-hour ozone maintenance plan update for the Middle Tennessee Area and RVP standard.	* Davidson, Rutherford, Sumner, Williamson, and Wilson Counties.	* 11/21/2016	* 5/1/2017, [Insert <b>Federal Register</b> citation].	* 

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R01-OAR-2016-0648; A-1-FRL-9958-37-Region 1]

### Air Plan Approval; CT; Approval of Single Source Orders

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Direct final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is approving State Implementation Plan (SIP) revisions submitted by the State of Connecticut. The revisions establish reasonably available control technology (RACT) for two facilities that emit volatile organic compounds (VOCs) in the state. Additionally, we are also approving Connecticut's request to withdraw seven previously-approved single source orders from the SIP. This action is being taken in accordance with the Clean Air Act.

**DATES:** This direct final rule will be effective June 30, 2017, unless EPA receives adverse comments by May 31, 2017. If adverse comments are received, EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** informing the public that the rule will not take effect.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R01-OAR-2016-0648 at <http://www.regulations.gov>, or via email Anne Arnold at: [arnold.anne@epa.gov](mailto:arnold.anne@epa.gov). For comments submitted at [Regulations.gov](http://www.regulations.gov), follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from [Regulations.gov](http://www.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:** Bob McConnell, Environmental Engineer, Air Quality Planning Unit, Air Programs Branch (Mail Code OEP05-02), U.S. Environmental Protection Agency, Region 1, 5 Post Office Square, Suite 100, Boston, Massachusetts, 02109-3912; (617) 918-1046; [mcconnell.robert@epa.gov](mailto:mcconnell.robert@epa.gov).

#### SUPPLEMENTARY INFORMATION:

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

Organization of this document. The following outline is provided to aid in locating information in this preamble.

- I. Background and Purpose
- II. Description and Evaluation of VOC RACT Order Submittals
  1. Order for Mallace Industries
  2. Order for Hamilton Sundstrand
- III. Description and Evaluation of VOC RACT Order Withdrawal Requests
  1. Withdrawal Request for Pfizer Global Manufacturing
  2. Withdrawal Request for Coats North America
  3. Withdrawal Request for Uniroyal Chemical Company
  4. Withdrawal Request for Watson Laboratories
  5. Withdrawal Request for Pratt & Whitney Aircraft
  6. Withdrawal Request for Dow Chemical
  7. Withdrawal Request for Sikorsky Aircraft
- IV. Final Action
- V. Incorporation by Reference

VI. Statutory and Executive Order Reviews

### I. Background and Purpose

The Clean Air Act (CAA) requires states in the Ozone Transport Region (OTR), as well as moderate and above ozone nonattainment areas, to implement RACT for major sources of volatile organic compounds. Connecticut is in the OTR and the state is currently designated nonattainment and classified as moderate for the 2008 ozone standard. See 40 CFR 81.307.

The Connecticut Department of Energy and Environmental Protection (CT DEEP) submitted to EPA two single source orders establishing RACT for sources of VOCs for incorporation into the Connecticut State Implementation Plan (SIP), and also submitted requests to withdraw from the SIP seven previously-approved orders. The two orders submitted for approval are Consent Order 8001, issued to Mallace Industries, located in Clinton, Connecticut, submitted to EPA on January 13, 2006, and Consent Order 8029, issued to Hamilton Sundstrand, located in Windsor Locks, Connecticut, submitted to EPA on November 15, 2011. The seven withdrawal requests are for the following previously-approved Consent Orders: Order 8021 issued to Pfizer Global Manufacturing; Order 8032 issued to Heminway and Bartlett Company (which was subsequently renamed Coats North America); Order 8009 issued to Uniroyal Chemical Company; Order 8200 issued to Watson Laboratories; Order 8014 issued to Pratt & Whitney Aircraft; Order 8011 issued to the Dow Chemical Company; and Order 8010 issued to Sikorsky Aircraft.

A description of these submittals and our evaluation of them appears below in Section II of this document.

### II. Description and Evaluation of VOC RACT Order Submittals

#### 1. Order for Mallace Industries

Consent Order 8001 was issued to Frismar, Incorporated, located in Clinton, Connecticut, on October 19, 1987, pursuant to section 22a-174-20(cc) of the Regulations of Connecticut