Dated: January 24, 2018.

Debra H. Thomas,

Acting Regional Administrator, Region 8.

[FR Doc. 2018–01853 Filed 1–31–18; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R06–OAR–2015–0851; FRL–9973–16–Region 6]

Approval and Promulgation of Implementation Plans; Louisiana; Interstate Transport Requirements for the 2012 $PM_{2.5}$ NAAQS

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: Pursuant to the Federal Clean Air Act (CAA or Act), the Environmental Protection Agency (EPA) is proposing to approve portions of the Louisiana State Implementation Plan (SIP) submittal and a technical supplement addressing the CAA requirement that SIPs address the potential for interstate transport of air pollution to significantly contribute to nonattainment or interfere with maintenance of the 2012 fine particulate matter ($PM_{2.5}$) National Ambient Air Quality Standards (NAAQS) in other states. EPA is proposing to determine that emissions from Louisiana sources do not contribute significantly to nonattainment in, or interfere with maintenance by, any other state with regard to the 2012 $PM_{2.5}$ NAAQS.

DATES: Written comments must be received on or before March 5, 2018.

ADDRESSES: Submit your comments, identified by Docket Number EPA–R06–OAR–2015–0851, at *http://www.regulations.gov* or via email to *fuerst.sherry@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 Sherry Fuerst, 214–665–6454, *fuerst.sherry@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: Sherry Fuerst, 214–665–6454, *fuerst.sherry@epa.gov*. To inspect the hard copy materials, please schedule an appointment with Ms. Fuerst or Mr. Bill Deese at 214–665–7253.

SUPPLEMENTARY INFORMATION: Throughout this document wherever ''we,'' ''us,'' or ''our'' is used, we mean the EPA.

I. Background

A. The $PM_{2.5}$ NAAQS and Interstate Transport of Air Pollution

Under section 109 of the CAA, we establish NAAQS to protect human health and public welfare. In 2012, we established a new annual NAAQS for $PM_{2.5}$ of 12 micrograms per cubic meter ($\mu g/m^3$), (78 FR 3085, January 15, 2013). The CAA requires states to submit, within three years after promulgation of a new or revised standard, SIPs meeting the applicable ''infrastructure'' elements of sections 110(a)(1) and (2). One of these applicable infrastructure elements, CAA section 110(a)(2)(D)(i), requires SIPs to contain provisions to prohibit certain adverse air quality effects on neighboring states due to interstate transport of pollution. There are four sub-elements within CAA section 110(a)(2)(D)(i). This action reviews how the first two sub-elements, contained in CAA section 110(a)(2)(D)(i)(I), were addressed in an infrastructure SIP submission from Louisiana for the 2012 $PM_{2.5}$ NAAQS. These sub-elements require that each SIP for a new or revised NAAQS contain adequate provisions to prohibit any source or other type of emissions activity in one state that will ''contribute significantly to nonattainment'' or ''interfere with maintenance'' of the applicable air quality standard in any other state.

The EPA has addressed the interstate transport requirements of CAA section 110(a)(2)(D)(i)(I) with respect to $PM_{2.5}$ in several past regulatory actions. In 2011, we promulgated the Cross-State Air Pollution Rule (CSAPR, 76 FR 48208, August 8, 2011) in order to address the obligations of states—and of the EPA when states have not met their obligations—under CAA section 110(a)(2)(D)(i)(I) to prohibit air pollution contributing significantly to nonattainment in, or interfering with maintenance by, any other state with regard to several NAAQS, including the 1997 annual and 2006 24-hour $PM_{2.5}$ NAAQS.[1] In that rule, we considered states linked to downwind receptors if they were projected to contribute more than the threshold amount (1% of the standard) of $PM_{2.5}$ pollution for the 1997 and 2006 $PM_{2.5}$ NAAQS (76 FR 48208, 48239–43). The EPA has not established a threshold amount for the 2012 $PM_{2.5}$ NAAQS. In 2016 we provided an informational memorandum (the memo) about the steps states should follow as they develop and review SIPs that address this provision of the CAA for the 2012 $PM_{2.5}$ NAAQS.[2]

B. Louisiana SIP Submittal Pertaining to the 2012 $PM_{2.5}$ NAAQS and Interstate Transport of Air Pollution

On December 11, 2015, Louisiana submitted a SIP revision to address the requirements of CAA section 110(a)(1) and (2) including a section to address the requirements of CAA section 110(a)(2)(D)(i)(I) for the 2012 $PM_{2.5}$ NAAQS. The submittal stated that the State had adequate provisions to prohibit air pollutant emissions from within the State that significantly contribute to nonattainment or interfere with maintenance of the 2012 $PM_{2.5}$ NAAQS stating, ''Air quality modeling evaluating interstate transport for the 2006 $PM_{2.5}$ supported the conclusion that Louisiana did not impact on either downwind nonattainment or maintenance receptors. The air quality modeling performed for the Transport Rule found that the impact was less than the 1 percent threshold (79 FR 4436, January 28, 2014). Currently Louisiana is in compliance with the new standard.'' On July 7, 2017, the State submitted a letter to EPA serving

[1] Federal Implementation Plans; Interstate Transport of Fine Particulate Matter and Ozone and Correction of SIP Approvals, 76 FR 48207 (August 8, 2011) (codified as amended at 40 CFR 52.38 and 52.39 and 40 CFR part 97).

[2] Information on the Interstate Transport ''Good Neighbor'' Provision for the 2012 Fine Particulate Matter National Ambient Air Quality Standards under Clean Air Act Section 110(a)(2)(D)(i)(I) March 17, 2016 from Stephen D. Page.

as a technical supplement for the 2012 $PM_{2.5}$ NAAQS. The letter stated that ''(b)ecause more recent and improved air quality modeling data evaluated transport for the 2012 $PM_{2.5}$ NAAQS conducted by EPA for the Cross State Air Pollution Rule is now available and supports the conclusion that emissions in Louisiana do not significantly contribute to nonattainment or interfere with maintenance of the 2012 $PM_{2.5}$ NAAQS in any other state, we submit it as basis for our conclusions in lieu of the previous technical information provided''.

We propose to approve the December 11, 2015 submittal and the July 7, 2017 technical supplement submittal that intended to demonstrate that the SIP met the requirements of CAA section 110(a)(2)(D)(i)(I) for the 2012 $PM_{2.5}$ NAAQS.

II. The EPA's Evaluation

As stated above, Section 110(a)(2)(D)(i) requires SIPS to include adequate provisions prohibiting any source or other type of emissions activity in one state that will (I) contribute significantly to nonattainment, or interfere with maintenance of the NAAAQS in another state, and (II) interfering with measures required to prevent significant deterioration of air quality, or to protect visibility in another state. This action addresses only CAA section 110(a)(2)(D)(i)(I).

EPA issued an information memo on March 17, 2016, titled, ''Information on the Interstate Transport ''Good Neighbor'' Provision for the 2012 Fine Particulate Matter National Ambient Air Quality Standards under Clean Air Act Section 110(a)(2)(D)(i)(I)'' (the memo). We will be following the framework outlined in the memo.

The memo outlined the four step framework EPA has historically used to evaluate interstate transport under section 110(a)(2)(D)(i)(I), including the EPA's CSAPR.

(1) Identification of potential downwind nonattainment and maintenance receptors;

(2) Identification of upwind states contributing to downwind nonattainment and maintenance receptors;

(3) For states identified as contributing to downwind air quality problem, identification of upwind emissions reductions necessary to prevent upwind states from significantly contributing to nonattainment or interfering with maintenance of receptors, and;

(4) For states that are found to have emissions that significantly contribute to non-attainment or interfere with maintenance downwind, reducing the identified upwind emissions through adoption of permanent and enforceable measures.

Based on this approach, the potential receptors are outlined in Table 1 in the memo. Most of the potential receptors are in California, located in the San Joaquin Valley or South Coast nonattainment areas. However, there is also one potential receptor in Shoshone County, Idaho, and one potential receptor in Allegheny County, Pennsylvania.

The memo did note that because of data quality problems nonattainment and maintenance projections were not done for all or portions of Florida, Illinois, Idaho, Tennessee and Kentucky. After issuance of the memo, data quality problems were resolved for Idaho, Tennessee, Kentucky and portions of Florida, identifying no additional potential receptors, with those areas having design values (DV) below the 2012 $PM_{2.5}$ NAAQS and expected to maintain the NAAQS due to downward emission trends for NO_X and SO_2 (*www.epa.gov/air-trends/air-quality-design-values* and *www.epa.gov/air-emissions-inventories/air-pollutant-emissions-trends-data*). As of December, 2017, the areas that still have data quality issues preventing projections of nonattainment and maintenance receptors are all of Illinois and four counties in Florida. For this evaluation these areas will be considered potential receptors for the 2012 $PM_{2.5}$ NAAQS.

Therefore, for ''Step 1'' of this evaluation, the areas identified as ''potential downwind nonattainment and maintenance receptors'' are:

- Seventeen potential receptors in California, located in the San Joaquin Valley or South Coast nonattainment areas;
- Shoshone County, Idaho;
- Allegheny County, Pennsylvania;
- Miami-Dade, Gilchrist, Broward, and Alachua Counties in Florida; and,
- All of Illinois

As stated above, ''Step 2'' is the identification of states contributing to downwind nonattainment and maintenance receptors, such that further analysis is required to identify necessary upwind reductions. For this step, we will be specifically determining if Louisiana emissions contribute to downwind nonattainment and maintenance receptors.

Each of the potential receptors is discussed below, with a more in depth discussion provided in the Technical Support Document (TSD) for this notice. For additional information, links to the documents relied upon for this analysis can be found throughout the document, more information is available in the TSD and the documents can be found in the docket for this action.

California

As described in our TSD, our analysis shows that Louisiana's $PM_{2.5}$ emissions and/or $PM_{2.5}$ precursors do not significantly impact the California potential receptors identified in the memo. In our analysis we found specifically that the majority of the emissions impacting $PM_{2.5}$ levels in California are directly emitted $PM_{2.5}$ and/or $PM_{2.5}$ precursors from within the state, and that meteorological and topographic conditions serve as barriers to transport from Louisiana. We note that air quality designations are not relevant to our evaluation of interstate transport, however, the analysis developed for the 2012 annual $PM_{2.5}$ NAAQS designations process provides an in depth evaluation of factors critical in evaluating transport of $PM_{2.5}$ and $PM_{2.5}$ precursors, including evaluation of local emissions, wind speed and direction, topographical and meteorological conditions and seasonal variations recorded at the monitors, which all support the conclusion that Louisiana's $PM_{2.5}$ and $PM_{2.5}$ precursors do not significantly contribute to nonattainment or interfere with maintenance of the California potential receptors. Furthermore, Louisiana is more than 1,300 miles to the east and generally downwind of the California receptors.[3]

For these reasons, we propose to find that Louisiana does not significantly contribute to nonattainment, nor will it interfere with maintenance of the 2012 $PM_{2.5}$ NAAQS for California.

Shoshone County, Idaho

As discussed in the TSD, our analysis shows that Louisiana's $PM_{2.5}$ emissions and/or $PM_{2.5}$ precursors do not significantly impact the Idaho potential receptor identified in the memo. In our analysis, we found specifically that the majority of the emissions impacting $PM_{2.5}$ levels, came during the winter time and could be attributed to residential wood combustion. We note that air quality designations are not relevant to our evaluation of interstate transport; however, the analysis developed for the 2012 annual $PM_{2.5}$ NAAQS designations process provide

[3] California: Imperial County, Los Angeles-South Coast Air Basin, Plumas County, San Joaquin Valley Area Designations for the 2012 Primary Annual $P_{M2.5}$ National Ambient Air Quality Standard Technical Support Document *https://www.regulations.gov/document?D=EPA-HQ-OAR-2012-0918-0330.*

an in depth evaluation of factors critical in evaluating transport of $PM_{2.5}$ and $PM_{2.5}$ precursors, including evaluation of local emissions, wind speed and direction, topographical and meteorological conditions and seasonal variations recorded at the monitor, which all support the conclusion that Louisiana $PM_{2.5}$ and $PM_{2.5}$ precursors do not significantly contribute to nonattainment nor interfere with maintenance of the Idaho potential receptor.[4] Furthermore, Louisiana is more than 1,100 miles to the southeast and downwind of this receptor.

For these reasons, we propose to find that Louisiana does not significantly contribute to nonattainment, nor will it interfere with maintenance of the 2012 $PM_{2.5}$ NAAQS for Shoshone, Idaho.

Allegheny County, Pennsylvania

As discussed in the TSD, our analysis shows that Louisiana's $PM_{2.5}$ emissions and/or $PM_{2.5}$ precursors do not significantly impact the Allegheny County, Pennsylvania (Liberty monitor) potential receptor identified in the memo. In our analysis we found that there were strong local influences throughout Allegheny County and contributions from nearby states that contributed to its nonattainment for both the 1997 and 2006 $PM_{2.5}$ NAAQS. Contributors to the Liberty monitor in Allegheny County, Pennsylvania in recent years, have taken steps to improve air quality which will likely bring the monitor into compliance with the 2012 $PM_{2.5}$ annual NAAQS by the 2021 attainment date.

Another compelling fact is that in previous modeling, nonattainment in Allegheny County, Pennsylvania was linked to significant contributions from other states.[5] Louisiana was analyzed in this modeling, and Louisiana emissions was not linked to Allegheny County.

For these reasons, we propose to find that Louisiana does not significantly contribute to nonattainment, nor will it interfere with maintenance of the 2012 $PM_{2.5}$ NAAQS for Allegany County, Pennsylvania.

Miami/Dade, Gilchrist, Broward, Alachua Counties, Florida

As discussed in more detail in the TSD, Florida did not have any potential nonattainment or maintenance receptors identified for the 1997 or 2006 $PM_{2.5}$ NAAQS. At this time, it is anticipated that this trend will continue under the 2012 standard, however, as there are ambient monitoring data gaps in the 2009–2013 data that could have been used to identify potential $PM_{2.5}$ nonattainment and maintenance receptors for Miami/Dade, Gilchrist, Broward and Alachua counties in Florida, the modeling analysis of potential receptors was not complete for these counties. In addition, the most recent ambient data (2014–2016) is still incomplete and therefore these areas are currently considered unclassifiable, so we are evaluating potential of linkages between Florida and Louisiana.

Both Louisiana and Florida were analyzed in the CSAPR modeling and there were no linkages shown at any monitor between these two state. Additionally, Louisiana is located 650 miles from Gilchrist County (the most western of the unclassifiable Florida counties) and is unlikely to impact air quality in Florida.

For these reasons, we propose to find that Louisiana does not significantly contribute to nonattainment, nor will it interfere with maintenance of the 2012 $PM_{2.5}$ NAAQS for any of the four Florida counties.

Illinois

As with the counties in Florida, due to ambient monitoring data gaps in the 2009–2013 data that should have been used to identify potential $PM_{2.5}$ nonattainment and maintenance receptors in Illinois and the modeling analysis of potential receptors could not be completed for the state, therefore entire state is considered unclassifiable. Unlike Florida, Illinois did have a nonattainment receptor identified through the CSAPR modeling analysis for the 1997 $PM_{2.5}$ NAAQS. The receptor was in Madison, Illinois, located near St. Louis, Missouri.

As stated above, Louisiana was included in the CSAPR modeling analysis for the 1997 $PM_{2.5}$ NAAQS. The modeling did not show a linkage for nonattainment or maintenance between Louisiana and Illinois. Recent DV for the monitors in Madison, Illinois have shown downward trends. There are three active monitors in Madison. The DVs for the monitors are shown in Table 1 below.

TABLE 1—ANNUAL STANDARD DESIGN VALUES (μg/m³) FOR MADISON, ILLINOIS MONITORS

Monitor No.	2012–2014	2013–2015	2014–2016
171191007	12.9	11.6	10.8
171192009	10.4	9.7	9.4
171193007	12.5	10.8	10.1

For these reasons, we propose that Louisiana will not significantly contribute to nonattainment, nor will it interfere with maintenance of the 2012 $PM_{2.5}$ NAAQS in Illinois.

Since we determined that Louisiana's SIP includes provisions prohibiting any source or other type of emissions activity from contributing significantly to nonattainment in, or interfering with maintenance of the NAAQS, in another state, steps 3 and 4 of this evaluation are not necessary.

In conclusion, based on our review of the potential receptors presented in the March 17, 2016 informational memo, an evaluation identifying likely emission sources affecting these potential receptors, and the 2014 base case modeling in CSAPR final rule, we propose to determine that emissions from Louisiana sources will not contribute significantly to nonattainment in, nor interfere with maintenance by, any other state with regard to the 2012 annual $PM_{2.5}$ NAAQS.

III. Proposed Action

EPA is proposing to approve the December 11, 2015 SIP revision as supplemented on July 7, 2015 as part of the SIP for Louisiana pursuant to the requirements of CAA section 110(a)(2)(D)(i)I as applicable to the 2012 $PM_{2.5}$ NAAQS. For the reasons discussed above and in the TSD, we are proposing to approve the portion of the Louisiana SIP submittal as supplemented, pertaining to interstate transport of air pollution demonstrating emissions from Louisiana will not

[4] Idaho: West Silver Valley Nonattainment Area—2012 Primary Annual $PM_{2.5}$ National Ambient Air Quality Standard Technical Support Document. Prepared by EPA Region 10.

[5] Air Quality Modeling for 2011 Cross-State Air Pollution Rule (CSAPR) (76 FR 48207, August 8, 2011).

significantly contribute to nonattainment or interfere with maintenance of the 2012 $PM_{2.5}$ NAAQS in any other state.

IV. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely proposes to approve state law 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);
- Is not an Executive Order 13771 (82 FR 9339, February 2, 2017) regulatory action because SIP approvals are exempted 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 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, Incorporation by reference, Particulate matter.

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

Dated: January 24, 2018.

Anne Idsal,

Regional Administrator, Region 6.

[FR Doc. 2018–01955 Filed 1–31–18; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 60

[EPA–HQ–OAR–2017–0355; FRL–9973–28–OAR]

RIN 2060–AT55

Repeal of Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of three public listening sessions and that the public comment period will be reopened.

SUMMARY: On October 16, 2017, the Environmental Protection Agency (EPA) published a proposal to announce its intention to repeal the Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units, commonly referred to as the Clean Power Plan, as promulgated on October 23, 2015. The proposal also requested public comment on the proposed rule. The EPA held public hearings on November 28 and 29, 2017, in Charleston, West Virginia, and extended the public comment period until January 16, 2018. In response to numerous requests for additional opportunities for the public to provide oral testimony on the proposed rule in more than one location, the EPA is announcing that three listening sessions will be held. In addition, the EPA will reopen the public comment period until April 26, 2018.

DATES: The first listening session for the proposed rule published October 16, 2017, at 82 FR 48035, will be held Wednesday, February 21, 2018, in Kansas City, Missouri; the second session will be held Wednesday, February 28, 2018, in San Francisco, California; and the third session will be held Tuesday, March 27, 2018, in Gillette, Wyoming. The EPA is reopening the public comment period until April 26, 2018.

ADDRESSES: The first listening session will be held Wednesday, February 21, 2018, at the U.S. Department of Agriculture Beacon Complex, 6501 Beacon Drive, Kansas City, Missouri 64133, from 10 a.m. until 8 p.m., Central Standard Time (CST). Because this listening session is being held at a U.S. government facility, individuals planning to attend should be prepared to show a current, valid state- or federal-approved picture identification to the security staff in order to gain access to the meeting room. An expired form of identification will not be permitted. Please note that the Real ID Act, passed by Congress in 2005, established new requirements for entering federal facilities. If your driver's license is issued by a noncompliant state, you must present an additional form of identification to enter the federal building in Kansas City where the listening session will be held. Acceptable alternative forms of identification include: Federal employee badges, passports, enhanced driver's licenses, and military identification cards.

Additional information on the Real ID Act is available at *https://www.dhs.gov/real-id-frequently-asked-questions.* In addition, you will need to obtain a visitor pass for any personal belongings you bring with you. No backpacks will be allowed into the building, but purses will be allowed.

Also, vehicles should only enter the West ''C'' Gate, identified with orange traffic cones and all vehicles must park in a designated area. Demonstrations will not be allowed on federal property for security reasons. The second listening session will be held Wednesday, February 28, 2018, at the San Francisco Main Library, Koret Auditorium, 30 Grove Street entrance, San Francisco, California 94102, from 8:30 a.m. until 7:30 p.m., Pacific Standard Time (PST). And the third listening session will be held Tuesday, March 27, 2018, at the Gillette College Technical Education Center, 3251 South 4–J Road, Gillette, Wyoming 82718, from 9 a.m. until 8 p.m., Mountain Daylight Time (MDT). The EPA will make every effort to accommodate all speakers.