

**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 (S)—Kentucky**

■ 2. Section 52.920(c), Table 2, is amended:

■ a. Under “Reg 6—Standards of Performance for Existing Affected Facilities” by revising the entry for “6.26”; and

■ b. Under “Reg 7—Standards of Performance for New Affected Facilities” by revising the entry for “7.36” to read as follows:

**§ 52.920 Identification of plan.**

\* \* \* \* \*  
(c) \* \* \*  
\* \* \* \* \*

TABLE 2—EPA-APPROVED JEFFERSON COUNTY REGULATIONS FOR KENTUCKY

Reg	Title/subject	EPA approval date	Federal Register notice	District effective date	Explanation
<b>Reg 6—Standards of Performance for Existing Affected Facilities</b>					
6.26	Standards of Performance for Existing Volatile Organic Compound Water Separators.	7/11/2019	[Insert citation of publication].	1/17/18	
<b>Reg 7—Standards of Performance for New Affected Facilities</b>					
7.36	Standards of Performance for New Volatile Organic Compound Water Separators.	7/11/2019	[Insert citation of publication].	1/17/18	

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[FR Doc. 2019-14631 Filed 7-10-19; 8:45 am]  
BILLING CODE 6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[EPA-R03-OAR-2018-0397; FRL-9996-28-Region 3]

**Approval and Promulgation of Air Quality Implementation Plans; Maryland; Basic Inspection and Maintenance Program Certification State Implementation Plan for the Baltimore Nonattainment Area Under the 2008 Ozone National Ambient Air Quality Standard**

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

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is approving a state implementation plan (SIP) revision submitted by the State of Maryland. This SIP revision satisfies a Clean Air Act (CAA) requirement for enactment of a vehicle emissions inspection and maintenance (I/M) program in the Baltimore area—where ambient air

quality has been classified by EPA as “Moderate” or higher nonattainment of federal ozone national ambient air quality standards (NAAQS) established in 2008 (hereafter referred to as the 2008 ozone NAAQS). The CAA requires states to demonstrate that any moderate ozone nonattainment area has adopted a basic I/M program (as defined by the CAA). In the event an I/M program was previously enacted to meet a prior NAAQS or other CAA requirement, the state must show that the enacted I/M program continues to meet applicable federal requirements for a basic I/M program. Maryland’s SIP revision that is the subject of this action pertains to CAA requirements for a basic I/M program in the Baltimore area for the 2008 ozone NAAQS. EPA is approving Maryland’s I/M program certification, in accordance with the requirements of the CAA.

**DATES:** This final rule is effective on August 12, 2019.

**ADDRESSES:** EPA has established a docket for this action under Docket ID Number EPA-R03-OAR-2018-0397. All documents in the docket are listed on the <https://www.regulations.gov> website. Although listed in the index, some information is not publicly available, e.g., confidential business

information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available through <https://www.regulations.gov>, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information.

**FOR FURTHER INFORMATION CONTACT:** Brian Rehn, Planning & Implementation Branch (3AD30), Air & Radiation Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. The telephone number is (215) 814-2176. Mr. Rehn can also be reached via electronic mail at [rehn.brian@epa.gov](mailto:rehn.brian@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Background and Purpose**

On March 19, 2019 (84 FR 9993), EPA published a notice of proposed rulemaking (NPRM) for the State of Maryland. In the NPRM, EPA proposed approval of Maryland’s SIP revision certifying that the existing vehicle emission inspection program implemented in the Baltimore ozone nonattainment area satisfies the CAA

requirement under section 182(b)(4) to adopt a vehicle inspection program in areas newly classified as moderate nonattainment under the 2008 ozone NAAQS. The rationale for EPA's proposed action on the State's I/M certification SIP was explained in the NPRM and will not be restated here. No adverse public comments were received on the NPRM; three supportive comments were received on the NPRM. The formal SIP revision [SIP #18-01] was submitted by Maryland on March 15, 2018.

## II. Final Action

EPA is approving the submitted motor vehicle I/M certification as a revision to the Maryland SIP for the Baltimore ozone nonattainment area.

## III. Statutory and Executive Order Reviews

### A. General Requirements

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA and applicable Federal regulations. 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);
- 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, this rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the state, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

### B. Submission to Congress and the Comptroller General

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).

### C. Petitions for Judicial Review

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 September 9, 2019. 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 to approve Maryland's certification that the existing Baltimore vehicle emissions inspection program meets CAA requirements for a basic I/M program for the Baltimore ozone nonattainment area for the 2008 ozone NAAQS 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: June 25, 2019.

**Cosmo Servidio,**

*Regional Administrator, Region III.*

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 V—Maryland

- 2. In § 52.1070, the table in paragraph (e) is amended by adding an entry "Basic vehicle emission inspection and maintenance (I/M) program requirement certification for the 2008 ozone national ambient air quality standard" at the end of the table to read as follows:

#### § 52.1070 Identification of plan.

\* \* \* \* \*

(e) \* \* \*

Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
Basic vehicle emission inspection and maintenance (I/M) program requirement certification for the 2008 ozone national ambient air quality standard.	Baltimore .....	3/15/2018	7/11/2019, [Insert Federal Register citation].	Certification that Maryland's previously approved regulation at COMAR 11.14.08 meets the requirement for a basic I/M program in the Baltimore Area for the 2008 ozone NAAQS.

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 81**

[EPA-R05-OAR-2018-0368; EPA-R05-OAR-2018-0556; FRL-9988-38-Region 5]

**Air Plan Approval; Illinois; Indiana; Revised Designation of Illinois and Indiana 2012 PM<sub>2.5</sub> Unclassifiable Areas**

*Correction*

In rule document 2018-27903, appearing on pages 66631-66635, in the issue of Thursday, December 27, 2018, make the following correction:

**§ 81.315 Indiana. [Corrected]**

■ On page 66634, in the table titled "Indiana—2012 Annual PM<sub>2.5</sub> NAAQS [Primary]", in the second column titled "Date 2", the dates that read "1/28/2018", should read 01/28/2019".

[FR Doc. C1-2018-27903 Filed 7-10-19; 8:45 am]  
 BILLING CODE 1301-00-D

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 635**

[Docket No. 180117042-8884-02]

RIN 0648-XT007

**Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Temporary rule; inseason General category retention limit adjustment.

**SUMMARY:** NMFS is adjusting the Atlantic bluefin tuna (BFT) General category daily retention limit from three large medium or giant BFT per vessel per day/trip to one large medium or

giant BFT per vessel per day/trip for the remainder of the June through August 2019 subquota period. This action is based on consideration of the regulatory determination criteria regarding inseason adjustments and applies to Atlantic Tunas General category (commercial) permitted vessels and Highly Migratory Species (HMS) Charter/Headboat category permitted vessels with a commercial sale endorsement when fishing commercially for BFT.

**DATES:** Effective July 11, 2019, through August 31, 2019.

**FOR FURTHER INFORMATION CONTACT:** Sarah McLaughlin, 978-281-9260 or Larry Redd, 301-427-8503.

**SUPPLEMENTARY INFORMATION:** Regulations implemented under the authority of the Atlantic Tunas Convention Act (ATCA; 16 U.S.C. 971 *et seq.*) and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act; 16 U.S.C. 1801 *et seq.*) governing the harvest of BFT by persons and vessels subject to U.S. jurisdiction are found at 50 CFR part 635. Section 635.27 subdivides the U.S. BFT quota recommended by the International Commission for the Conservation of Atlantic Tunas (ICCAT) among the various domestic fishing categories, per the allocations established in Amendment 7 to the 2006 Consolidated Atlantic Highly Migratory Species Fishery Management Plan (2006 Consolidated HMS FMP) (Amendment 7) (79 FR 71510, December 2, 2014), and in accordance with implementing regulations. NMFS is required under ATCA and the Magnuson-Stevens Act to provide U.S. fishing vessels with a reasonable opportunity to harvest the ICCAT-recommended quota.

The baseline quota for the General category is 555.7 mt. See § 635.27(a). Each of the General category time periods (January, June through August, September, October through November, and December) is allocated a portion of the annual General category quota. Although it is called the "January" subquota, the regulations allow the General category fishery under this quota to continue until the subquota is reached or March 31, whichever comes

first. The baseline subquotas for each time period are as follows: 24.7 mt for January; 233.3 mt for June through August; 123.7 mt for September; 60.7 mt for October through November; and 24.3 mt for December. Any unused General category quota rolls forward within the fishing year, which coincides with the calendar year, from one time period to the next, and is available for use in subsequent time periods. This action would adjust the daily retention limit for the remainder of the second time period in 2019, June through August.

**Adjustment of General Category Daily Retention Limit**

The default General category retention limit is one large medium or giant BFT (measuring 73 inches (185 cm) curved fork length (CFL) or greater) per vessel per day/trip (§ 635.23(a)(2)).

Under § 635.23(a)(4), NMFS may increase or decrease the daily retention limit of large medium and giant BFT over a range of zero to a maximum of five per vessel based on consideration of the relevant criteria provided under § 635.27(a)(8). NMFS adjusted the daily retention limit for the beginning of the June through August 2019 subquota period from the default level of one large medium or giant BFT to three large medium or giant BFT (84 FR 22734, May 20, 2019). NMFS has considered the relevant regulatory determination criteria and their applicability to the General category BFT retention limit for the remainder of the June through August 2019 subquota time period. These considerations include, but are not limited to, the following:

Regarding the usefulness of information obtained from catches in the particular category for biological sampling and monitoring of the status of the stock (§ 635.27(a)(8)(i)), biological samples collected from BFT landed by General category fishermen and provided by BFT dealers continue to provide NMFS with valuable data for ongoing scientific studies of BFT age and growth, migration, and reproductive status. Prolonged opportunities to land BFT over the longest time-period allowable would support the collection