

**§ 52.220 Identification of plan—in part.**

\* \* \* \* \*

(c) \* \* \*

(514) \* \* \*

(ii) \* \* \*

(A) \* \* \*

(7) 2018 Updates to the California State Implementation Plan, adopted on October 25, 2018, chapter VII (“SIP Elements for the Coachella Valley”), excluding section VII.D (“Contingency Measures”); and pages A–23 through A–26 of appendix A (“Nonattainment Area Inventories”).

\* \* \* \* \*

(517) \* \* \*

(ii) \* \* \*

(B) \* \* \*

(6) Final 2016 Air Quality Management Plan (March 2017), Chapter 7 (“Current and Future Air Quality—Desert Nonattainment Areas”), adopted on March 3, 2017, excluding the portions of pages 7–13 to 7–22 regarding particulate matter and other criteria pollutants, and excluding the portions of pages 7–26 to 7–30 regarding reasonable further progress.

\* \* \* \* \*

■ 3. Section 52.244 is amended by adding paragraph (a)(11) to read as follows:

**§ 52.244 Motor vehicle emissions budgets.**

(a) \* \* \*

(11) Coachella Valley, approved October 16, 2020.

\* \* \* \* \*

[FR Doc. 2020–19162 Filed 9–15–20; 8:45 am]  
**BILLING CODE 6560–50–P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[EPA–R07–OAR–2020–0339; FRL–10014–32–Region 7]

**Air Plan Approval; Missouri; Control of Emissions from Industrial Surface Coating Operations**

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

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is taking final action to approve a revision to the State Implementation Plan (SIP) for the State of Missouri. This final action will amend the SIP to revise a Missouri regulation that restricts emissions of volatile organic compounds (VOCs) from industrial surface coating operations in St. Louis City and Jefferson, St. Charles, Franklin, and St. Louis Counties in Missouri.

Specifically, the revisions to the rule add a new surface coating category for the decorative coating of foam products, establish an appropriate emission limit for this type of surface coating operation, remove obsolete provisions that were applicable prior to March 1, 2012, remove a reference to a rule that is being rescinded, remove restrictive words, add definitions specific to this rule, change rule language to be consistent with defined terms, and update incorporations by reference. The new emission limit for decorative coating of foam products is SIP strengthening and will not adversely impact the air quality in the St. Louis area. The remaining revisions are administrative in nature and do not impact the stringency of the SIP or air quality. The EPA’s approval of this rule revision is in accordance with the requirements of the Clean Air Act (CAA).

**DATES:** This final rule is effective on October 16, 2020.

**ADDRESSES:** The EPA has established a docket for this action under Docket ID No. EPA–R07–OAR–2020–0339. 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, *i.e.*, 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 information.

**FOR FURTHER INFORMATION CONTACT:** William Stone, Environmental Protection Agency, Region 7 Office, Air Quality Planning Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219; telephone number: (913) 551–7714; email address: [stone.william@epa.gov](mailto:stone.william@epa.gov).

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

**Table of Contents**

- I. What is Being Addressed in this Document?
- II. Have the Requirements for Approval of a SIP Revision Been Met?
- III. What Action is the EPA Taking?
- IV. Incorporation by Reference
- V. Statutory and Executive Order Reviews

**I. What is being addressed in this document?**

The EPA is approving the revisions to 10 CSR 10–5.330 *Control of Emissions*

*From Industrial Surface Coating Operations* in the Missouri SIP. The revisions to the rule add a new surface coating category for the decorative coating of foam products, establish an appropriate emission limit for this type of surface coating operation, remove obsolete provisions that were applicable prior to March 1, 2012, remove a reference to a rule that is being rescinded, remove restrictive words, add definitions specific to this rule, change rule language to be consistent with defined terms, and update incorporations by reference. These revisions are described in detail in the technical support document (TSD) included in the docket for this action. The EPA solicited comments on the proposed revision to Missouri’s SIP, and received two comments unrelated to the proposed action.

**II. Have the requirements for approval of a SIP revision been met?**

The State submission has met the public notice requirements for SIP submissions in accordance with 40 CFR 51.102. The submission also satisfied the completeness criteria of 40 CFR part 51, appendix V. The State provided public notice of the revisions from August 1, 2018, to October 4, 2018, and held a public hearing on September 27, 2018. The state received and addressed three comments. As explained in more detail in the TSD which is part of this docket, the SIP revision submission meets the substantive requirements of the CAA, including section 110 and implementing regulations.

**III. What action is the EPA taking?**

The EPA is taking final action to approve Missouri’s request to amend 10 CSR 10–5.330.

**IV. Incorporation by Reference**

In this document, the EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is finalizing the incorporation by reference of the Missouri Regulations described in the amendments to 40 CFR part 52 set forth below. The EPA has made, and will continue to make, these materials generally available through [www.regulations.gov](https://www.regulations.gov) and at the EPA Region 7 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

Therefore, these materials have been approved by the EPA for inclusion in the State Implementation Plan, have been incorporated by reference by EPA into that plan, are fully federally

enforceable under sections 110 and 113 of the CAA as of the effective date of the final rulemaking of the EPA’s approval, and will be incorporated by reference in the next update to the SIP compilation.<sup>1</sup>

**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, 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 the National Technology Transfer and Advancement Act (NTTA) because this rulemaking does not involve technical standards; 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).

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 and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. 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 November 16, 2020. 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, Volatile organic compounds.

Dated: August 28, 2020.

**James Gulliford,**  
*Regional Administrator, Region 7.*

For the reasons stated in the preamble, the EPA amends 40 CFR part 52 as set forth below:

**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 AA—Missouri**

- 2. In § 52.1320, the table in paragraph (c) is amended by revising the entry “10–5.330” to read as follows:

**§ 52.1320 Identification of plan.**  
\* \* \* \* \*  
(c) \* \* \*

**EPA—APPROVED MISSOURI REGULATIONS**

Missouri citation	Title	State effective date	EPA approval date	Explanation
<b>Missouri Department of Natural Resources</b>				
*	*	*	*	*
<b>Chapter 5—Air Quality Standards and Air Pollution Control Regulations for the St. Louis Metropolitan Area</b>				
*	*	*	*	*
10–5.330 .....	Control of Emissions from Industrial Surface Coating Operations.	3/30/2019	9/16/2020, [insert <b>Federal Register</b> citation].	

<sup>1</sup> 62 FR 27968, May 22, 1997.

EPA—APPROVED MISSOURI REGULATIONS—Continued

Missouri citation	Title	State effective date	EPA approval date	Explanation
-------------------	-------	----------------------	-------------------	-------------

\* \* \* \* \*  
 [FR Doc. 2020–19418 Filed 9–15–20; 8:45 am]  
 BILLING CODE 6560–50–P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[EPA–R10–OAR–2018–0766, FRL–10012–38–Region 10]

**Air Plan Approval; Idaho: Infrastructure Requirements for the 2015 Ozone Standard**

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

**ACTION:** Final rule.

**SUMMARY:** Whenever the Environmental Protection Agency (EPA) promulgates a new or revised National Ambient Air Quality Standard (NAAQS), the Clean Air Act requires each State to make a State Implementation Plan (SIP) submission to establish that its SIP provides for the implementation, maintenance, and enforcement of the revised NAAQS. This type of SIP submission is commonly referred to as an infrastructure SIP submission. The EPA is approving the State of Idaho’s September 27, 2018, SIP submission as meeting applicable infrastructure requirements for the 2015 ozone NAAQS.

**DATES:** The final rule is effective October 16, 2020.

**ADDRESSES:** The EPA has established a docket for this action under Docket ID No. EPA–R10–OAR–2018–0766. 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., CBI or other information the disclosure of which is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and is publicly available only in hard copy form. Publicly available docket materials are available at <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:** Matthew Jentgen at (206) 553–0340, or [jentgen.matthew@epa.gov](mailto:jentgen.matthew@epa.gov).

**SUPPLEMENTARY INFORMATION:**

Throughout this document wherever “we,” “us,” or “our” is used, it is intended to refer to the EPA.

**I. Background Information**

On April 9, 2019, the EPA proposed to approve Idaho’s September 27, 2018, SIP submission as meeting certain infrastructure requirements of the Clean Air Act (CAA) for the 2015 ozone NAAQS (84 FR 14067). The initial public comment period for this proposed action ended on May 9, 2019. Due to an administrative error, the EPA omitted certain documents relevant to the proposed action from the docket during the initial comment period, open from April 9, 2019 to May 9, 2019. The EPA corrected the administrative error and on May 28, 2019, we provided an additional 30 days for public comment on the proposed action (84 FR 24420). The public comment period ended on June 27, 2019. The EPA received adverse comments on the proposal.

**II. Response to Comments**

The EPA received adverse comments during the initial comment period related to our administrative docket error that left out documents relevant to the proposed action. The EPA addressed these comments by including the relevant documents in the docket and providing an additional 30-day comment period. The EPA received one comment during the second comment period. We have summarized and responded to the remaining adverse comments below. The full text of the submitted comments may be found in the docket for this action.

*Comment—Ozone NAAQS Violations*

*Summary* – The Idaho Conservation League (ICL) asserted that monitoring data indicates Idaho’s efforts to prevent a violation of the 2015 ozone NAAQS are ineffective. ICL further asserted that the EPA’s approval of the 2015 ozone infrastructure SIP submission should be contingent upon the State’s “creation and implementation of new management strategies to address ozone in Idaho.”

Specifically, ICL pointed to Idaho’s infrastructure SIP submission, at appendix B, Table B–1, indicating the 2015–2017 design value for ozone measured at the Boise—White Pine air

monitoring station was 0.070 parts per million (ppm), equal to the 2015 ozone NAAQS. Moreover, ICL stated that in more recent years the monitor has shown exceedances and that the 2016–2018 design value is likely to violate the 2015 ozone NAAQS. ICL concluded that the laws, rules, and regulations referenced by Idaho in its 2015 ozone infrastructure SIP submission do not appear adequate. Thus, the commenter advocated that the EPA’s approval of this SIP submission should be contingent upon Idaho’s creation and implementation of new emissions management strategies to address ozone in Idaho.

*Response*—The EPA agrees that that the monitor data identified by the commenter indicates that there may be violations of the 2015 ozone NAAQS at this monitor, but disagrees that this is an issue that the State should address in the context of an infrastructure SIP submission. We have reviewed monitoring data at the Boise—White Pine Elementary monitor (Site ID: 160010017) and the design value for the most recent three-year period (2016–2018) is 0.072 ppm, which is over the 2015 ozone NAAQS of 0.070 ppm. At this point in time, all areas of Idaho are designated attainment for the 2015 ozone NAAQS. The EPA designated the entire State of Idaho as attainment/unclassifiable for the 2015 ozone NAAQS, based on 2013–2015 design value data (82 FR 54232, at page 54243). Each of the three monitors in Idaho that rely on Federal Reference Method (FRM) ozone monitoring data (Boise-White Pine, Meridian-St Luke’s, and Craters of the Moon) had 2013–2015 design values below the 0.070 ppm ozone NAAQS. If there are now violations of the 2015 ozone NAAQS at any monitors, then either Idaho or the EPA may need to consider the need for a redesignation under section 107(d)(3), or other proactive actions to address the ambient ozone concentrations in the area.

The existence of possible violations of the NAAQS does not, however, directly affect Idaho’s September 27, 2018, infrastructure SIP submission. As stated in the proposal, the EPA’s longstanding position is that infrastructure SIP submissions are intended to address basic SIP requirements to implement, maintain, and enforce a NAAQS in