

§ 52.1770 Identification of plan.

(c) \* \* \*

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(3) EPA APPROVED MECKLENBURG COUNTY REGULATIONS

State citation	Title/subject	State effective date	EPA approval date	Explanation
* * * * *				
<b>Article 2.0000 Air Pollution Control Regulations and Procedures</b>				
* * * * *				
<b>Section 2.0600 Monitoring: Recordkeeping: Reporting</b>				
Rule 2.0601	Purpose and Scope	12/15/2015	1/25/2022, [Insert citation of publication].	
Rule 2.0602	Definitions	12/15/2015	1/25/2022, [Insert citation of publication].	
Rule 2.0604	Exceptions to Monitoring and Reporting Requirements.	12/15/2015	1/25/2022, [Insert citation of publication].	
Rule 2.0605	General Recordkeeping and Reporting Requirements.	12/15/2015	1/25/2022, [Insert citation of publication].	
* * * * *				
Rule 2.0607	Large Wood and Wood-Fossil Fuel Combination Units.	12/15/2015	1/25/2022, [Insert citation of publication].	
* * * * *				
Rule 2.0610	Delegation Federal Monitoring Requirements	12/15/2015	1/25/2022, [Insert citation of publication].	
Rule 2.0611	Monitoring Emissions from Other Sources	12/15/2015	1/25/2022, [Insert citation of publication].	
* * * * *				
Rule 2.0613	Quality Assurance Program	12/15/2015	1/25/2022, [Insert citation of publication].	
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 [FR Doc. 2022-01301 Filed 1-24-22; 8:45 am]  
 BILLING CODE 6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[EPA-R04-OAR-2020-0406; FRL-9319-02-R4]

**Air Plan Approval; Georgia; 2015 8-Hour Ozone Nonattainment New Source Review Permit Program Requirements**

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

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is approving a revision to the Georgia State Implementation Plan (SIP) submitted by the State of Georgia through the Georgia Environmental Protection Division (GA EPD) on July 2, 2020. EPA is approving Georgia's certification that its existing

Nonattainment New Source Review (NNSR) permitting regulations meet the nonattainment planning requirements for the 2015 8-hour ozone National Ambient Air Quality Standards (NAAQS) for the Atlanta Area, comprised of the counties of Bartow, Clayton, Cobb, DeKalb, Fulton, Gwinnett, and Henry. This action is being taken pursuant to the Clean Air Act (CAA or Act) and its implementing regulations.

**DATES:** This rule is effective February 24, 2022.

**ADDRESSES:** EPA has established a docket for this action under Docket Identification No. EPA-R04-OAR-2020-0406. All documents in the docket are listed on the [www.regulations.gov](http://www.regulations.gov) website. 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 and Radiation 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:** Pearlene Williams, Air Regulatory Management Section, Air Planning and Implementation Branch, Air and Radiation Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW, Atlanta, Georgia 30303-8960. The telephone number is (404) 562-9144. Ms. Williams can also be reached via electronic mail at [williams.pearlene@epa.gov](mailto:williams.pearlene@epa.gov).

**SUPPLEMENTARY INFORMATION:**

## I. Background

On December 6, 2018, EPA issued a final rule entitled “Implementation of the 2015 National Ambient Air Quality Standards for ozone: State Implementation Plan Requirements” (SIP Requirements Rule), which establishes the requirements that state, tribal, and local air quality management agencies must meet as they develop implementation plans for areas where air quality exceeds the 2015 8-hour ozone NAAQS. *See* 83 FR 62998; 40 CFR part 51, subpart CC.

Based on the nonattainment designation for the 2015 8-hour ozone standard, Georgia was required to develop a SIP revision addressing the requirements of CAA sections 172(c)(5) and 173 for the Atlanta Area. *See* 42 U.S.C. 7502(c). Section 172(c)(5) of the CAA requires each state with a nonattainment area to submit a SIP revision requiring NNSR permits in the nonattainment area in accordance with the permitting requirements of CAA section 173. The minimum SIP requirements for NNSR permitting for the 2015 8-hour ozone NAAQS are located in 40 CFR 51.165. *See* 40 CFR 51.1314. On July 2, 2020, Georgia submitted a SIP revision addressing, among other things,<sup>1</sup> permit program requirements (*i.e.*, NNSR) for the 2015 8-hour ozone NAAQS for the Atlanta Area.

On December 2, 2021, EPA published a notice of proposed rulemaking (NPRM) proposing to approve the July 2, 2020, SIP revision regarding 2015 8-hour Ozone Nonattainment New Source Review Permit Program Requirements for the Atlanta Area. *See* 86 FR 68447. The December 2, 2021, NPRM provides additional detail regarding the background and rationale for EPA’s action. Comments on the December 2, 2021, NPRM were due on or before January 3, 2022. EPA received no comments on the December 2, 2021, NPRM.

## II. Final Action

EPA is approving Georgia’s SIP revision addressing the NNSR requirements for the 2015 8-hour ozone NAAQS for the Atlanta Area, submitted on July 2, 2020. EPA has concluded that Georgia’s submission fulfills the 40 CFR 51.1314 requirement and meets the requirements of CAA sections 172(c)(5) and 173 and the minimum SIP requirements of 40 CFR 51.165.

<sup>1</sup> The other elements of this submittal are being addressed in separate rulemakings.

## III. 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. *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. 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, 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).

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 March 28, 2022. 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 oxide, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: January 18, 2022.

**Daniel Blackman,**

*Regional Administrator, Region 4.*

For the reasons stated in the preamble, EPA amends 40 CFR part 52 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 L—Georgia

- 2. In § 52.570, amend the table in paragraph (e) by adding an entry for “2015 8-hour Ozone NAAQS Nonattainment New Source Review

Requirements for the Atlanta Area” after the entry for “2008 8-hour ozone Maintenance Plan for the Atlanta Area, Revision for the Removal of Transportation Control Measures” to read as follows:

**§ 52.570 Identification of plan.**  
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(e) \* \* \*

EPA-APPROVED GEORGIA NON-REGULATORY PROVISIONS

Name of nonregulatory SIP provision	Applicable geographic or nonattainment area	State submittal date/effective date	EPA approval date	Explanation
* * * * *	* * * * *	* * * * *	* * * * *	* * * * *
2015 8-hour Ozone NAAQS Non-attainment New Source Review Requirements for the Atlanta Area.	Bartow, Clayton, Cobb, DeKalb, Fulton, Gwinnett, and Henry Counties.	7/2/2020	1/25/2022, [Insert citation of publication].	
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[FR Doc. 2022-01299 Filed 1-24-22; 8:45 am]  
BILLING CODE 6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 141**

[EPA-HQ-OW-2020-0530; FRL-6791-05-OW]

RIN 2040-AF89

**Revisions to the Unregulated Contaminant Monitoring Rule (UCMR 5) for Public Water Systems and Announcement of Public Meetings; Technical Corrections**

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

**ACTION:** Final rule and notice of public meetings; correction.

**SUMMARY:** The U.S. Environmental Protection Agency (EPA) is making minor, non-substantive changes to a final rule, “Revisions to the Unregulated Contaminant Monitoring Rule (UCMR 5) for Public Water Systems and Announcement of Public Meetings,” that appeared in the **Federal Register** on December 27, 2021. These corrections do not change any final action taken by EPA on December 27, 2021; rather, they simply clarify the amendatory instructions.

**DATES:** Effective January 26, 2022.

**FOR FURTHER INFORMATION CONTACT:** Brenda D. Bowden, Standards and Risk Management Division (SRMD), Office of Ground Water and Drinking Water (OGWDW) (MS 140), Environmental Protection Agency, 26 West Martin Luther King Drive, Cincinnati, Ohio 45268; telephone number: (513) 569-7961; email address: [bowden.brenda@epa.gov](mailto:bowden.brenda@epa.gov); or Melissa Simic, SRMD, OGWDW (MS 140), Environmental Protection Agency, 26 West Martin

Luther King Drive, Cincinnati, Ohio 45268; telephone number: (513) 569-7864; email address: [simic.melissa@epa.gov](mailto:simic.melissa@epa.gov). For general information, visit the Ground Water and Drinking Water web page at: <https://www.epa.gov/ground-water-and-drinking-water>.  
**SUPPLEMENTARY INFORMATION:** Section 553(b)(B) of the Administrative Procedure Act, 5 U.S.C. 553(b)(B), provides that, when an agency for good cause finds that public notice and comment procedures are impracticable, unnecessary, or contrary to the public interest, the agency may issue a rule without providing notice and an opportunity for public comment. EPA has determined that there is good cause for making this rule final without proposal and opportunity for comment because such notice and opportunity for comment is unnecessary for the following reasons: EPA is making minor, non-substantive changes to a final rule, “Revisions to the Unregulated Contaminant Monitoring Rule (UCMR 5) for Public Water Systems,” that appeared in the **Federal Register** on December 27, 2021. These corrections do not change any final action taken by EPA on December 27, 2021; rather, they simply clarify the logistical instructions to the Office of the Federal Register to amend 40 CFR part 141. Thus, notice and comment is unnecessary because the public has previously had the opportunity to comment on the proposed action finalized on December 27, 2021.

*Corrections*

In FR Doc. 2021-27858 appearing on page 73131 in the **Federal Register** of Monday, December 27, 2021, the following corrections are made:

**§ 141.35 [Corrected]**

■ 1. On page 73151, in the second column, in part 141, instruction 2.a, “In paragraph (a), revise the fourth

sentence;” is corrected to read “In paragraph (a), revise the third sentence;”.

■ 2. On page 73151, in the third column, in part 141, instruction 2.d, “In paragraph (d)(2), revise the first, second, and third sentences; and” is corrected to read “In paragraph (d)(2), revise the heading and the first and second sentences; and”.

**§ 141.40 [Corrected]**

■ 3. On page 73155, in the first column, in part 141, instruction 3.d, “Revise paragraphs (a)(4)(i)(A) through (C), (a)(4)(ii) introductory text, and the first sentence in paragraph (a)(4)(ii)(A);” is corrected to read “Revise paragraphs (a)(4)(i)(A) through (C), (a)(4)(ii) introductory text, and paragraph (a)(4)(ii)(A);”.

■ 4. On page 73155, in the second column, in part 141, instruction 3.f, “In paragraph (a)(5)(ii), revise the fifth and sixth sentences;” is corrected to read “In paragraph (a)(5)(ii), revise the fourth and fifth sentences;”.

**Radhika Fox,**

*Assistant Administrator.*

[FR Doc. 2022-01383 Filed 1-24-22; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 282**

[EPA-R04-UST-2020-0696; FRL-9057-02-R4]

**Commonwealth of Kentucky: Codification and Incorporation by Reference of Approved State Underground Storage Tank Program**

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

**ACTION:** Direct final rule.