

human health or environmental effects” of their actions on communities with environmental justice (EJ) concerns to the greatest extent practicable and permitted by law. The EPA defines environmental justice (EJ) as “the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.” The EPA further defines the term fair treatment to mean that “no group of people should bear a disproportionate burden of environmental harms and risks, including those resulting from the negative environmental consequences of industrial, governmental, and commercial operations or programs and policies.”

The New Mexico Environmental Department did not evaluate environmental justice considerations as part of its SIP revision submittal; the CAA and applicable implementing regulations neither prohibit nor require such an evaluation. EPA performed an environmental justice analysis, as is described above in the section titled, “Environmental Justice Considerations.” The analysis was done for the purpose of providing additional context and information about this rulemaking to the public, not as a basis of the action. Due to the nature of the action being taken here, this action is expected to have a neutral to positive impact on the air quality of the affected area. Consideration of EJ is not required as part of this action, and there is no

information in the record inconsistent with the stated goal of E.O. 12898 of achieving environmental justice for communities with EJ concerns.

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 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).

This action is subject to the Congressional Review Act, and the EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by December 10, 2024. 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, Reporting and recordkeeping requirements, Volatile organic compounds.

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

Dated: October 3, 2024.

Earthea Nance,
Regional Administrator, Region 6.

For the reasons stated in the preamble, the Environmental Protection Agency 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 GG—New Mexico

■ 2. In § 52.1620 (e), the table titled “EPA-Approved Nonregulatory Provisions and Quasi-Regulatory Measures in the New Mexico SIP” is amended by adding the entry “2020 Periodic Emissions Inventory (NO_x and VOC ozone daily summer season and annual emissions) for the 2015 Ozone NAAQS” at the end of the table to read as follows:

§ 52.1620 Identification of plan.

* * * * *
(e) * * *

EPA-APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE NEW MEXICO SIP

Name of SIP provision	Applicable geographic or nonattainment area	State submittal/ effective date	EPA approval date	Explanation
* * * * *	* * * * *	* * * * *	* * * * *	* * * * *
2020 Periodic Emissions Inventory (NO _x and VOC ozone daily summer season and annual emissions) for the 2015 Ozone NAAQS.	Sunland Park ozone nonattainment area.	12/20/2023	10/11/2024, [Insert Federal Register citation].	

* * * * *
[FR Doc. 2024-23339 Filed 10-10-24; 8:45 am]
BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R09-OAR-2015-0083, EPA-R09-OAR-2021-0773, EPA-R09-OAR-2022-0306, and EPA-R09-OAR-2023-0479; FRL-12172-01-R9]

Air Plan Approvals; Arizona; California; Correcting Amendments

AGENCY: Environmental Protection Agency (EPA).

ACTION: Correcting amendments.

SUMMARY: On various dates, the Environmental Protection Agency (EPA) published final rules in the **Federal Register** approving certain revisions to the Arizona State Implementation Plan (SIP) and the California SIP. In those final rules, inadvertent errors in the amendatory instructions resulted in inaccuracies in the regulatory text codifying the final actions into the Code of Federal Regulations (CFR). This document corrects the errors in the regulatory text for those final rules.
DATES: These correcting amendments are effective October 11, 2024.

ADDRESSES: The EPA has established dockets for this action under Docket No. EPA-R09-OAR-2015-0083, EPA-R09-OAR-2021-0773, EPA-R09-OAR-2022-0306, and EPA-R09-OAR-2023-0479. All documents in the dockets are listed on the <https://www.regulations.gov> website. Although listed in an 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. If you need assistance in a language other than English or if you are a person with a disability who needs a reasonable accommodation at no cost to you, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: Mae Wang, EPA Region IX, 75 Hawthorne Street, San Francisco, CA 94105; phone: (415) 947-4137; email: wang.mae@epa.gov.

SUPPLEMENTARY INFORMATION: This action corrects regulatory text errors resulting from inadvertent errors in the amendatory instructions in final rulemakings affecting 40 CFR part 52. This action does not change any final action taken by the EPA in a previously published final rule. This action merely corrects regulatory text to properly codify the EPA's previously published final rulemakings. An explanation of each correction is listed below.

On March 27, 2015 (80 FR 16289), the EPA published a direct final rule that, among other actions, approved Ventura County Air Pollution Control District (APCD) Rule 74.31, "Metalworking Fluids and Direct-Contact Lubricants," adopted on November 12, 2013, as a revision to the California SIP. However, there was a typographic error in the amendatory instructions. The instructions for adding paragraph 52.220(c)(441)(i)(C)(2) inadvertently omitted the rule number from the text to be added. The EPA is correcting the text for paragraph 52.220(c)(441)(i)(C)(2) in this action.

On September 28, 2022 (87 FR 58729), the EPA published a final rule approving four permitting rules submitted as a revision to the San Diego County APCD portion of the California

SIP.¹ The revision concerned San Diego APCD Rule 11, "Exemptions From Rule 10 Permit Requirements," Rule 20.1, "New Source Review—General Provisions," Rule 20.3, "New Source Review—Major Stationary Sources and PSD Stationary Sources," and Rule 20.4, "New Source Review—Portable Emission Units." However, the text of the newly added paragraphs to codify the replacement of the previously-approved versions of these rules inadvertently listed the incorrect adoption dates for the replaced rules. In this action, the EPA is correcting the rule adoption dates appearing in 52.220(c)(488)(i)(A)(6), (c)(539)(i)(A)(5), (c)(539)(i)(A)(6), and (c)(539)(i)(A)(7).

On February 9, 2024 (89 FR 8999), the EPA published a final rule approving a revision to the California Air Resources Board (CARB) portion of the California SIP. This revision concerned regulations and a certification procedure for certification of vapor recovery systems for gasoline cargo tanks. However, there was a typographic error in the amendatory instructions for codifying the CARB regulation and the certification procedure. The date of the submittal letter listed in the corresponding entries for this revision in 40 CFR 52.220a(c) table 1 and table 2 should have been September 8, 2023, rather than September 21, 2023. The EPA is correcting this date in this action.

On April 14, 2022 (87 FR 22135), the EPA published a final rule that, among other actions, approved Maricopa County Ordinance P-26, "Residential Burning Restrictions," revised October 23, 2019, as a revision to the Maricopa County portion of the Arizona SIP. However, the amendatory instructions erroneously added an entry for Ordinance P-26 to table 4 of 40 CFR 52.120(c), rather than replacing the previously-approved entry for Maricopa County Ordinance P-26 in table 6 of 40 CFR 52.120(c). The EPA is correcting this error in this action.

The EPA has determined that this action falls under the "good cause" exemption in section 553(b)(B) of the Administrative Procedure Act (APA) which, upon finding "good cause," authorizes agencies to dispense with public participation where public notice and comment procedures are

¹ On October 27, 2022 (87 FR 65015), the EPA published a correcting amendment to correct the amendatory instructions appearing in the September 28, 2022 final rule for codifying the replacement of the previously-approved versions of Rule 20.1, Rule 20.3, and Rule 20.4. The September 28, 2022 final rule had listed the incorrect paragraphs for the previously-approved versions of these rules and those corrections were made in the October 27, 2022 action.

impracticable, unnecessary, or contrary to the public interest. Public notice and comment for this action is unnecessary because the underlying rules for which these correcting amendments have been prepared were already subject to 30-day comment periods. Further, this action is consistent with the purposes and rationales of the final rules for which inaccurate amendatory instructions are being corrected herein. Because this action does not change the EPA's analyses or overall actions, no purpose would be served by additional public notice and comment. Consequently, additional public notice and comment are unnecessary.

The EPA also finds that there is good cause under APA section 553(d)(3) for these corrections to become effective on the date of publication of this action. Section 553(d)(3) of the APA allows an effective date of less than 30 days after publication "as otherwise provided by the agency for good cause found and published with the rule." 5 U.S.C. 553(d)(3). The purpose of the 30-day waiting period prescribed in APA section 553(d)(3) is to give affected parties a reasonable time to adjust their behavior and prepare before the final rule takes effect. This rule does not create any new regulatory requirements such that affected parties would need time to prepare before the rule takes effect. This action merely corrects inaccurate amendatory instructions in previous rulemakings. For these reasons, the EPA finds good cause under APA section 553(d)(3) for these corrections to become effective on the date of publication of this action.

This action is subject to the Congressional Review Act (CRA), and the EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. Section 808 allows the issuing agency to make a rule effective sooner than otherwise provided by the CRA if the agency makes a good cause finding that notice and public procedure is impracticable, unnecessary or contrary to the public interest. This determination must be supported by a brief statement. 5 U.S.C. 808(2). As stated previously, the EPA has made such a good cause finding, including the reasons therefore, for this action to become effective on the date of publication. This action is not a "major rule" as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Nitrogen oxides, Ozone, Particulate matter, Reporting and recordkeeping

requirements, Volatile organic compounds.

Dated: October 2, 2024.

Martha Guzman Aceves, Regional Administrator, Region IX.

Accordingly, the Environmental Protection Agency is correcting 40 CFR part 52 by making the following correcting amendments:

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 D—Arizona

2. In § 52.120, amend paragraph (c) by:

- a. Removing the subheading for "Maricopa County Ordinances" and the entry for "Ordinance P-26" in table 4, under the heading "Post-July 1988 Rule Codification,"; and
b. Revising the entry for "Maricopa County Ordinance P-26" in table 6. The revision reads as follows:

§ 52.120 Identification of plan.

* * * * *
(c) * * *

TABLE 6—EPA-APPROVED ORDINANCES ADOPTED BY MARICOPA COUNTY AND OTHER LOCAL JURISDICTIONS WITHIN MARICOPA COUNTY

Table with 5 columns: County citation, Title/subject, State effective date, EPA approval date, Additional explanation. Row 1: Maricopa County Ordinance P-26, Residential Burning Restrictions, October 23, 2019, April 14, 2022, Submitted on November 20, 2019.

* * * * *

Subpart F—California

3. Section 52.220 is amended by revising paragraphs (c)(441)(i)(C)(2); (c)(488)(i)(A)(6); (c)(539)(i)(A)(5), (6); and (7).

The revisions read as follows:

§ 52.220 Identification of plan—in part.

* * * * *

- (c) * * *
(441) * * *
(i) * * *
(C) * * *

(2) Rule 74.31, "Metalworking Fluids and Direct-Contact Lubricants," adopted on November 12, 2013.

* * * * *

- (488) * * *
(i) * * *
(A) * * *

(6) Previously approved on October 4, 2018, in paragraph (c)(488)(i)(A)(3) of this section and now deleted with replacement in paragraph (c)(557)(i)(B)(1) of this section: Rule 11, "Exemptions from Rule 10 Permit

Requirements," revision adopted on May 11, 2016.

* * * * *

- (539) * * *
(i) * * *
(A) * * *

(5) Previously approved on September 16, 2020, in paragraph (c)(539)(i)(A)(1) of this section and now deleted with replacement in paragraph (c)(588)(i)(A)(1) of this section: Rule 20.1, "New Source Review—General Provisions," revision adopted on June 26, 2019.

(6) Previously approved on September 16, 2020, in paragraph (c)(539)(i)(A)(3) of this section and now deleted with replacement in paragraph (c)(588)(i)(A)(2) of this section: Rule 20.3, "New Source Review—Major Stationary Sources and PSD Stationary Sources" (except paragraphs (d)(1)(vi), (d)(2)(i)(B), (d)(2)(v), (d)(2)(vi)(B) and (d)(3)), revision adopted on June 26, 2019.

(7) Previously approved on September 16, 2020, in paragraph (c)(539)(i)(A)(4) of this section and now deleted with

replacement in paragraph (c)(588)(i)(A)(3), of this section: Rule 20.4, "New Source Review—Portable Emission Units" (except paragraphs (b)(2), (b)(3), (d)(1)(iii), (d)(2)(i)(B), (d)(2)(iv), (d)(2)(v)(B), (d)(3) and (d)(5)), revision adopted on June 26, 2019.

* * * * *

4. In § 52.220a, amend paragraph (c) by:

- a. Revising the entry for "94014" in table 1, under the subheading "Title 17 (Public Health), Division 3 (Air Resources), Chapter 1 (Air Resources Board); Subchapter 8 (Compliance with Nonvehicular Emissions Standards); Article 1 (Vapor Recovery Systems in Gasoline Marketing Operations)"; and
b. Revising the entry for "Certification Procedure CP-204 Certification Procedure for Vapor Recovery Systems of Cargo Tanks" in table 2.

The revisions read as follows:

§ 52.220a Identification of plan—in part.

* * * * *

(c) * * *

TABLE 1—EPA-APPROVED STATUTES AND STATE REGULATIONS ¹

State citation	Title/subject	State effective date	EPA approval date	Additional explanation
*	*	*	*	*
California Code of Regulations				
*	*	*	*	*
Title 17 (Public Health), Division 3 (Air Resources), Chapter 1 (Air Resources Board); Subchapter 8 (Compliance with Nonvehicular Emissions Standards); Article 1 (Vapor Recovery Systems in Gasoline Marketing Operations)				
94014	Certification of Vapor Recovery Systems for Cargo Tanks.	7/12/2023	2/9/2024, 89 FR 8999.	Submitted on September 13, 2023, as an attachment to a letter dated September 8, 2023.
*	*	*	*	*

¹ Table 1 lists EPA-approved California statutes and regulations incorporated by reference in the applicable SIP. Table 2 of paragraph (c) lists approved California test procedures, test methods and specifications that are cited in certain regulations listed in Table 1. Approved California statutes that are nonregulatory or quasi-regulatory are listed in paragraph (e).

TABLE 2—EPA-APPROVED CALIFORNIA TEST PROCEDURES, TEST METHODS, AND SPECIFICATIONS

Title/subject	State effective date	EPA approval date	Additional explanation
*	*	*	*
Certification Procedure CP–204 Certification Procedure for Vapor Recovery Systems of Cargo Tanks.	7/12/2023	2/9/2024, 89 FR 8999 ...	Submitted on September 13, 2023, as an attachment to a letter dated September 8, 2023.
*	*	*	*

* * * * *
 [FR Doc. 2024–23423 Filed 10–10–24; 8:45 am]
BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 62

[EPA–R01–OAR–2024–0462; FRL–12317–01–R1]

Approval and Promulgation of State Plans (Negative Declarations) for Designated Facilities and Pollutants: Maine and Massachusetts

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking a direct final action to approve negative declarations in lieu of State plans to satisfy the requirements in the Emission Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units for the State of Maine and the Commonwealth of Massachusetts. The negative declarations certify that the States do not have any existing sources within

their jurisdictions that must comply with the rule.

DATES: This direct final rule will be effective December 10, 2024, unless EPA receives adverse comments by November 12, 2024. 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: EPA has established a docket for this action under Docket Identification No. EPA–R01–OAR–2024–0462. 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.*, 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 at <https://www.regulations.gov> or at the U.S. Environmental Protection Agency, EPA Region 1 Regional Office, Air and Radiation Division, 5 Post Office Square—Suite 100, Boston, MA. EPA

requests that, if at all possible, you contact the contact 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 legal holidays and facility closures due to COVID–19.

FOR FURTHER INFORMATION CONTACT: Jessica Kilpatrick, Air Permits, Toxics, and Indoor Programs Branch, Air and Radiation Division, U.S. Environmental Protection Agency, Region 1, 5 Post Office Square, APTB05–2, Boston, MA 02109–0287. Telephone: 617–918–1652. Fax: 617–918–0652 Email: kilpatrick.jessica@epa.gov.

SUPPLEMENTARY INFORMATION:

Table of Contents

- I. Background
- II. Commercial and Industrial Solid Waste Incineration Regulations
- III. Final Action
- IV. Statutory and Executive Order Reviews

I. Background

The Clean Air Act (CAA) delineates regulations for air pollution emissions that can adversely impact public health. Section 111(d) of the CAA sets standards of performance for existing