

the VISTAS region. Based on its conclusion that SO₂ reductions would result in the greatest visibility improvements, North Carolina's 2007 regional haze SIP submission focused its reasonable progress control analysis on emission units that fall within the SO₂ area of influence of any Class I area, as modeled by VISTAS, and have a one percent or greater contribution to the sulfate visibility impairment in at least one Class I area. *See* 77 FR 11869. Sixteen EGUs subject to the CSA and formerly subject to CAIR met North Carolina's reasonable process screening criteria. The State subsequently concluded in its regional haze SIP submission that no additional controls beyond CAIR and the CSA were reasonable for these units during the first implementation period. *See* 77 FR 11870, 11872. North Carolina's long-term strategy relied, in part, on this conclusion.

Ten of the 16 aforementioned units have shut down or converted to natural gas. The remaining coal-fired units have each installed FGD to comply with the CSA. Given North Carolina's focus on reducing SO₂ emissions to achieve reasonable progress and the fact that coal-fired EGUs remaining in operation are already subject to the most stringent SO₂ controls available, EPA proposes to find that no additional controls are necessary for these units to achieve reasonable progress during the first implementation period. This proposed finding and the proposed finding that North Carolina's BART Alternative meets the requirements of the Regional Haze Rule form the basis for EPA's proposal to convert EPA's limited disapproval of the State's regional haze SIP to a full approval.

III. Proposed Action

EPA is proposing to find that North Carolina's regional haze SIP revision meets the applicable requirements of the CAA and Regional Haze Rule, including the requirement that the BART Alternative achieve greater reasonable progress than would be achieved through the installation and operation of BART. EPA also proposes to find that final approval of this SIP revision would correct the deficiencies that led to EPA's limited disapproval of the State's regional haze SIP on June 7, 2012, and proposes to convert the EPA's June 27, 2012, limited approval to a full approval. These proposed actions, if finalized, would eliminate the need for EPA to issue a FIP to remedy the deficiencies in North Carolina's December 17, 2007, SIP submission.

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. *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. Accordingly, these proposed actions merely approve State law as meeting Federal requirements and does not impose additional requirements beyond those imposed by State law. For that reason, these proposed actions:

- Are 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);
 - do not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
 - are 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.*);
 - do 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);
 - do not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
 - are not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
 - are not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
 - are 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 Clean Air Act; and
 - do 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.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

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

Dated: March 25, 2016.

Heather McTeer Toney,

Regional Administrator, Region 4.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R04-OAR-2015-0696; FRL-9944-54-Region 4]

Air Plan Approval; South Carolina; Transportation Conformity Update

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve a State Implementation Plan (SIP) revision submitted by the State of South Carolina, through the South Carolina Department of Health and Environmental Control, on October 13, 2015. This revision consists of transportation conformity criteria and procedures related to interagency consultation and enforceability of certain transportation-related control measures and mitigation measures. The intended effect of this approval is to update the transportation conformity criteria and procedures in the South Carolina SIP to reorganize previous exhibits into a single Memorandum of Agreement document as well as to update signatories to add the newly established Lowcountry Area Transportation Study to the list of Metropolitan Planning Organizations, created to represent a new urbanized area designated as a result of the 2010 Census. This proposed action is being taken pursuant to the Clean Air Act.

DATES: Written comments must be received on or before May 5, 2016.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-R04-OAR-2015-0696 at <http://>

www.regulations.gov. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from Regulations.gov. 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. 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, 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>.

FOR FURTHER INFORMATION CONTACT: Kelly Sheckler of the Air Regulatory Management Section at the Air Planning and Implementation Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303-8960. Ms. Sheckler's telephone number is 404-562-9992. She can also be reached via electronic mail at sheckler.kelly@epa.gov.

SUPPLEMENTARY INFORMATION: In the Final Rules Section of this **Federal Register**, EPA is approving the State's implementation plan revision as a direct final rule without prior proposal

because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this rule, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this document. Any parties interested in commenting on this document should do so at this time.

Dated: March 25, 2016.

Heather McTeer Toney,
Regional Administrator, Region 4.
[FR Doc. 2016-07816 Filed 4-4-16; 8:45 am]
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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

[4500030113]

Endangered and Threatened Wildlife and Plants; 12-Month Findings on Petitions To List Island Marble Butterfly, San Bernardino Flying Squirrel, Spotless Crake, and Sprague's Pipit as Endangered or Threatened Species

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of 12-month petition findings.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), announce 12-month findings on petitions to list the island marble butterfly, the San Bernardino flying squirrel, the American Samoa population of the spotless crake, and the Sprague's pipit as endangered species or threatened species under the Endangered Species Act of 1973, as amended (Act). After review of the best available scientific and commercial information, we find that listing the island marble butterfly as an endangered or threatened species is warranted. Currently, however, listing the island marble butterfly is precluded by higher priority actions to amend the Lists of Endangered and Threatened Wildlife and Plants. Upon publication of this 12-month petition finding, we will add the island marble butterfly to our candidate species list. We will develop a proposed rule to list the island marble butterfly as our priorities allow. After review of the best available scientific and commercial information, we find that listing the San Bernardino flying squirrel, the American Samoa population of the spotless crake, and the Sprague's pipit is not warranted at this time. However, we ask the public to submit to us any new information that becomes available concerning the stressors to the San Bernardino flying squirrel, the American Samoa population of the spotless crake, the Sprague's pipit, or their habitats at any time.

DATES: The findings announced in this document were made on April 5, 2016.

ADDRESSES: These findings are available on the Internet at <http://www.regulations.gov> at the following docket numbers:

Species	Docket No.
Island marble butterfly	FWS-R1-ES-2014-0025.
San Bernardino flying squirrel	FWS-R8-ES-2016-0046.
American Samoa population of the spotless crake	FWS-HQ-ES-2016-0048.
Sprague's pipit	FWS-R6-ES-2009-0081.

Supporting information used in preparing these findings is available for public inspection, by appointment, during normal business hours, by contacting the appropriate person, as

specified under **FOR FURTHER INFORMATION CONTACT**. Please submit any new information, materials, comments, or questions concerning these findings to the appropriate person, as specified

under **FOR FURTHER INFORMATION CONTACT**.

FOR FURTHER INFORMATION CONTACT:

Species	Contact information
Island marble butterfly	Eric V. Rickerson, State Supervisor, Washington Fish and Wildlife Office, 360-753-9440; eric_rickerson@fws.gov .
San Bernardino flying squirrel	Mendel Stewart, Field Supervisor, Carlsbad Fish and Wildlife Office, 760-731-9440; mendel_stewart@fws.gov .
American Samoa population of the Spotless crake.	Mary Abrams, Project Leader, Pacific Islands Fish and Wildlife Office, 808-792-9400; mary_abrams@fws.gov .