III. Final Action

For the reasons discussed in our March 9, 2017 proposal and summarized above, the EPA is approving, under CAA section 110(k)(3), the ROP demonstration contained in the 2014 SIP Update as meeting the requirements of CAA section 182(b)(1) and 40 CFR 51.1105(a)(1) and 51.1100(o)(4).

IV. Statutory and Executive Order Reviews

Under the Clean Air Act, 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, the EPA’s role is to approve state choices, provided that they meet the criteria of the Clean Air Act. 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 certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 3501 et seq.);

• does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 et seq.).

See 40 CFR 62.10 (March 6, 2015).
• 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); and
• does not provide the 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, the SIP is not approved to apply on any Indian reservation land or in any other area where the 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 if it extended to tribal communities. Therefore, the EPA has determined that there is good cause for making this technical amendment final without prior proposal and opportunity for public comment. We have determined that there is good cause for making this technical amendment final without prior proposal and opportunity for public comment because only simple publication errors caused the paragraph numbers in the final rule to be out of order. Providing an opportunity for additional public comment would be unnecessary, unnecessary, or contrary to the public interest, the agency may issue a rule without providing notice and an opportunity for public comment. We have determined that there is good cause for making this technical amendment final without prior proposal and opportunity for public comment because only simple publication errors caused the paragraph numbers in the final rule to be out of order.

§ 52.220 Identification of plan—in part.

(2) California Air Resources Board, Staff Report, Proposed Updates to the 1997 8-Hour Ozone Standard, State Implementation Plans; Coachella Valley and Western Mojave Desert, adopted on October 24, 2014: “Reasonable Further Progress Demonstration Update,” at p. 10 (excluding those portions that pertain to reasonable further progress targets after 2011); Table A–2 (excluding pp. A–10 through A–12, and those portions that pertain to reasonable further progress targets after 2011); Table C–2 (excluding those portions that pertain to reasonable further progress targets after 2011).

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