

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 publishes 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 August 7, 2018. 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 approving the revision to the State of Arizona’s SIP 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, Reporting and recordkeeping requirements, Sulfur dioxide.

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

Dated: May 25, 2018.

**Deborah Jordan,**

*Acting Regional Administrator, EPA Region IX.*

Chapter I, title 40 of the Code of Federal Regulations is amended 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 D—Arizona**

■ 2. In § 52.120, table 1 in paragraph (e) is amended by adding the entry “Maintenance Plan Renewal, 1971 Sulfur Dioxide National Ambient Air Quality Standards, Douglas Maintenance Area” after the entry “Modeling and Emissions Inventory Supplement for the Douglas Sulfur Dioxide Nonattainment Area State Implementation and Maintenance Plan and Redesignation Request, dated September 2005” to read as follows:

**§ 52.120 Identification of plan.**

\* \* \* \* \*  
(e) \* \* \*

**TABLE 1—EPA-APPROVED NON-REGULATORY AND QUASI-REGULATORY MEASURES**  
[Excluding certain resolutions and statutes, which are listed in tables 2 and 3, respectively]<sup>1</sup>

Name of SIP provision	Applicable geographic or nonattainment area or title/subject	State submittal date	EPA approval date	Explanation
*	*	*	*	*
<b>Part D Elements and Plans (Other than for the Metropolitan Phoenix or Tucson Areas)</b>				
Maintenance Plan Renewal, 1971 Sulfur Dioxide National Ambient Air Quality Standards, Douglas Maintenance Area.	Douglas Sulfur Dioxide Air Quality Planning Area.	December 14, 2016 .....	June 8, 2018, [insert <b>Federal Register</b> citation].	Adopted by the Arizona Department of Environmental Quality on December 14, 2016. Fulfills requirements for second 10-year maintenance plan.
*	*	*	*	*

<sup>1</sup> Table 1 is divided into three parts: Clean Air Act Section 110(a)(2) State Implementation Plan Elements (excluding Part D Elements and Plans), Part D Elements and Plans (other than for the Metropolitan Phoenix or Tucson Areas), and Part D Elements and Plans for the Metropolitan Phoenix and Tucson Areas.

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[Docket No. EPA–R02–OAR–2018–0197; FRL–9978–07—Region 2]

**Adequacy Status of Motor Vehicle Emissions Budgets for the New York Portion of the New York-Northern New Jersey-Long Island, NY–NJ–CT, 2008 8-Hour Ozone Nonattainment Area**

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

**ACTION:** Notification of adequacy.

**SUMMARY:** In this document, the Environmental Protection Agency (“EPA” or “Agency”) is notifying the public that the Agency has found that the 2017 motor vehicle emissions budgets (“budgets”) for volatile organic compounds (“VOCs”) and nitrogen oxides (“NO<sub>x</sub>”) submitted by the New York State Department of Environmental Conservation for the 2008 national ambient air quality standard (“NAAQS”) for ozone are adequate for transportation conformity purposes for the New York portions of the New York-Northern New Jersey-Long Island, NY–NJ–CT 8-hour ozone nonattainment area. The transportation conformity rule requires that the EPA

conduct a public process and make an affirmative decision on the adequacy of these budgets before they can be used by metropolitan planning organizations in conformity determinations. As a result of this finding, upon the effective date of this notification of adequacy, the New York Metropolitan Transportation Council must use these budgets in future transportation conformity determinations. The budgets are contained in New York's November 10, 2017, state implementation plan submittal for the 2008 ozone NAAQS and are associated with the reasonable further progress milestone demonstration.

**DATES:** This finding is effective June 25, 2018.

**FOR FURTHER INFORMATION CONTACT:** Hannah Greenberg, Environmental Protection Agency Region 2, Air Programs Branch, 290 Broadway, 25th Floor, New York, New York 10007-1866; (212) 637-3829, [greenberg.hannah@epa.gov](mailto:greenberg.hannah@epa.gov).

**SUPPLEMENTARY INFORMATION:** Throughout this document, whenever "we," "us," or "our" is used, we mean the EPA.

This document is simply an announcement of a finding that we have already made. EPA Region 2 sent a letter to the New York State Department of Environmental Conservation on April 19, 2018, stating that the 2017 motor vehicle emissions budgets ("budgets") in the submitted state implementation plan ("SIP") for the 2008 national ambient air quality standard for ozone for the New York portions of the New York-Northern New Jersey-Long Island 8-hour ozone nonattainment area are adequate for transportation conformity purposes. These budgets are associated with the SIP's reasonable further progress milestone demonstration and must apply to future transportation conformity determinations conducted by the New York Metropolitan Transportation Council ("NYMTC").

On November 10, 2017, the New York State Department of Environmental Conservation submitted a SIP revision for the New York portion of the New York-Northern New Jersey-Long Island, NY-NJ-CT, 2008 8-hour ozone nonattainment area. This revision to the SIP included 2017 summer day volatile organic compound ("VOC") and nitrogen oxides ("NO<sub>x</sub>") motor vehicle emissions budgets associated with the SIP's reasonable further progress demonstration. We announced availability of the plan and related budgets on the EPA's transportation conformity website on December 6, 2017, requesting comments by January

5, 2018. We received no comments in response to the adequacy review posting.

This finding will also be available at the EPA's conformity website: <https://www.epa.gov/state-and-local-transportation/conformity-adequacy-review-region-2>.

The motor vehicle emissions budgets are provided in Table 1 below.

TABLE 1—2017 MOTOR VEHICLE EMISSIONS BUDGETS FOR NYMTC  
[Tons per year]

Year	VOC	NO <sub>x</sub>
2017	65.69	117.21

Transportation conformity is required by Clean Air Act section 176(c). The EPA's conformity rule requires that long-range transportation plans, transportation improvement programs, and transportation projects conform to a state's air quality SIP and establishes the criteria and procedures for determining whether or not they conform. Conformity to a SIP means that transportation activities will not produce new air quality violations, worsen existing violations, or delay timely attainment of the NAAQS.

The criteria the EPA uses to determine whether a SIP's motor vehicle emission budgets are adequate for conformity purposes are outlined in 40 CFR 93.118(e)(4). We have further described our process for determining the adequacy of submitted SIP budgets in 40 CFR 93.118(f), and we followed this rule in making our adequacy determination. Please note that an adequacy review is separate from the EPA's completeness review and should not be used to prejudice the EPA's ultimate action on the SIP. Even if we find a budget adequate, the SIP could later be disapproved.

Pursuant to 40 CFR 93.104(e), within 2 years of the effective date of this document, NYMTC and the U.S. Department of Transportation will need to demonstrate conformity to the new budgets. For demonstrating conformity to the budgets in this plan, the on-road motor vehicle emissions from implementation of the long-range transportation plan should be projected consistently with the budgets in this plan.

**Authority:** 42 U.S.C. 7401-7671 q.

Dated: April 30, 2018.

**Peter D. Lopez,**

*Regional Administrator, Region 2.*

[FR Doc. 2018-12303 Filed 6-7-18; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R07-OAR-2018-0319; FRL-9979-11—Region 7]

### Adequacy Determination for the St. Louis Area 2008 8-Hour Ozone Redesignation Request and Maintenance State Implementation Plan, Motor Vehicle Emissions Budgets for Transportation Conformity Purposes; State of Missouri

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

**ACTION:** Notification of adequacy determination.

**SUMMARY:** In this document, the EPA is notifying the public that the St. Louis area 2008 8-hour ozone redesignation request and maintenance plan motor vehicle emission budgets (MVEBs) for volatile organic compounds (VOCs) and nitrogen oxides (NO<sub>x</sub>) are adequate for transportation conformity purposes. As a result, these budgets must be used by the State of Missouri for future transportation conformity determinations for the St. Louis area.

**DATES:** This finding is effective June 22, 2018.

**FOR FURTHER INFORMATION CONTACT:** Heather Hamilton, at (913) 551-7039, by email at [Hamilton.heather@epa.gov](mailto:Hamilton.heather@epa.gov), or by mail at U.S. Environmental Protection Agency, Air Planning and Development Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219.

**SUPPLEMENTARY INFORMATION:** Throughout this document "we," "us," or "our" refer to EPA. The word "budget(s)" refers to the motor vehicle emission budgets (MVEBs) for volatile organic compounds and nitrogen oxides. For the purposes of this document, "SIP" refers to the St. Louis Area 2008 8-Hour Ozone Redesignation Request and Maintenance State Implementation Plan, submitted by Missouri Department of Natural Resources to EPA as a SIP revision on September 12, 2016. The Plan was revised on February 16, 2018.

This document is an announcement of a finding that EPA has already made. EPA Region 7 sent a letter to Missouri Department of Natural Resources on May 15, 2018, stating that the MVEBs contained in the Redesignation Request and Maintenance Plan are adequate for transportation conformity purposes. As a result of EPA's finding, the State of Missouri must use the MVEBs from the February 16, 2018, Redesignation Request and Maintenance Plan for