

in Florida; and (v) data gaps exist for all monitors in Illinois. For the 17 receptors in California and one potential receptor in Idaho, based on EPA's evaluation of distance and wind direction, EPA proposes to conclude that West Virginia's emissions do not significantly impact those receptors. For the potential receptor in Allegheny County, EPA expects the air quality affecting that monitor to improve to the point where the monitor will not be a nonattainment or maintenance receptor by 2021 and is therefore unlikely to be a receptor for purposes of interstate transport. For the four counties in Florida and the monitors in Illinois with data gaps, EPA initially treats those receptors as potential nonattainment or maintenance receptors, but it is unlikely that they will be nonattainment or maintenance receptors in 2021 because the most recent air quality data (from 2015–2017 for Florida and from 2015–2016 for Illinois) indicates that all monitors are likely attaining the PM<sub>2.5</sub> NAAQS and are therefore unlikely to be nonattainment or maintenance concerns in 2021. Therefore, EPA proposes to conclude that West Virginia emissions will not contribute to those monitors. For these reasons, EPA is proposing to find that West Virginia's existing SIP provisions as identified in the November 12, 2015 SIP submittal are adequate to prevent its emission sources from significantly contributing to nonattainment or interfering with maintenance in another state with respect to the 2012 PM<sub>2.5</sub> NAAQS.

### III. Proposed Action

EPA is proposing to approve the November 12, 2015 West Virginia SIP revision addressing the interstate transport requirements for the 2012 PM<sub>2.5</sub> NAAQS because the submittal adequately addresses section 110(a)(2)(D)(i)(I) of the CAA. EPA is soliciting public comments on the issues discussed in this document. These comments will be considered before taking final action.

### 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 CAA and applicable federal regulations. 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, 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 proposed 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 not an Executive Order 13771 (82 FR 9339, February 2, 2017) regulatory action because SIP approvals are exempted under Executive Order 12866.
  - 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, addressing West Virginia's interstate transport obligations with respect to the 2012 PM<sub>2.5</sub> NAAQS, is not approved to apply on any Indian reservation land as defined in 18 U.S.C. 1151 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).

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Particulate matter.

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

Dated: July 12, 2018.

**Cosmo Servidio,**

*Regional Administrator, Region III.*

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 52 and 81

[EPA–R07–OAR–2017–0734; FRL 9981–28—Region 7]

### Air Plan Approval and Air Quality Designation; MO; Redesignation of the Missouri Portion of the St. Louis Missouri-Illinois Area to Attainment of the 1997 Annual Standards for Fine Particulate Matter and Approval of Associated Maintenance Plan

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

**ACTION:** Proposed rule.

**SUMMARY:** On January 5, 2018, the Environmental Protection Agency (EPA) published in the **Federal Register** an advanced notice of proposed rulemaking (ANPR) specifically requesting early input and comments on the Agency's interpretation that air quality monitoring data from 2015–2017 support a finding that the Missouri Portion of the St. Louis nonattainment area attains the 1997 Annual National Ambient Air Quality Standards (NAAQS) for fine particulate matter (PM<sub>2.5</sub>). The notice also provided an evaluation of Missouri's 1997 Annual PM<sub>2.5</sub> NAAQS maintenance plan, which includes the 2008 and 2025 NO<sub>x</sub> and PM<sub>2.5</sub> motor vehicle emission budgets (MVEBs) and established the 2008 base year emissions inventory. EPA received no comments on the ANPR. EPA is now taking direct final action on three items, consistent with the ANPR. First, EPA is approving the state's request to redesignate the Missouri portion of the St. Louis MO-IL nonattainment area to attainment for the 1997 Annual PM<sub>2.5</sub> NAAQS as the monitoring values demonstrate the area attains the standard. Second, EPA is approving the state implementation plan (SIP) revision containing a maintenance plan for the Missouri portion of the area including the motor vehicle emissions budget. Third, EPA is approving Missouri's 2008 base year emissions inventory in accordance with section 172(c)(3) of the CAA. In the "Rules and Regulations" section of this **Federal Register**, we are approving the state's SIP revisions as a direct final rule without a prior proposed rule. If we receive no adverse

comment, we will not take further action on this proposed rule.

**DATES:** Comments must be received September 4, 2018.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R07-OAR-2017-0734 to <https://www.regulations.gov>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. The 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. The 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

<https://www2.epa.gov/dockets/commenting-epa-dockets>.

**FOR FURTHER INFORMATION CONTACT:** Lachala Kemp, Environmental Protection Agency, Air Planning and Development Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219 at (913) 551-7214, or by email at [kemp.lachala@epa.gov](mailto:kemp.lachala@epa.gov).

**SUPPLEMENTARY INFORMATION:** This document proposes to take action on the State of Missouri request to redesignate the Missouri portion of the St. Louis MO-IL nonattainment area to attainment for the 1997 Annual National Ambient Air Quality Standards (NAAQS) for fine particulate matter (PM<sub>2.5</sub>), and to approve the state's 2008 emissions inventory. We have published a direct final rule approving the State's SIP revision(s) in the "Rules and Regulations" section of this **Federal Register**, because we view this as a noncontroversial action and anticipate no relevant adverse comment. We have explained our reasons for this action in the preamble to the direct final rule. If we receive no adverse comment, we will not take further action on this proposed rule. If we receive adverse comment, we will withdraw the direct final rule and it will not take effect. We would address all public comments in any subsequent final rule based on this proposed rule.

We do not intend to institute a second comment period on this action. Any parties interested in commenting must do so at this time. For further information, please see the information provided in the **ADDRESSES** section of this document.

#### **List of Subjects**

*40 CFR Part 52*

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

*40 CFR Part 81*

Environmental protection, Administrative practice and procedure, Air pollution control, Designations and classifications, Intergovernmental relations, Nitrogen dioxide, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: July 16, 2018.

**James B. Gulliford,**

*Regional Administrator, Region 7.*

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