• 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).

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).

The Congressional Review Act, 5 U.S.C. 801 et seq., as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the 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. 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 November 5, 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 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, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: August 20, 2018.

Cathy Stepp,
Regional Administrator, Region 5.

40 CFR part 52 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.

2. In §52.1870, the table in paragraph (e) is amended by adding the subheading “Summary of Criteria Pollutant Attainment Plans” and the entry “PM_{2.5} (2012)” before the subheading “Summary of Criteria Pollutant Maintenance Plan” to read as follows:

§ 52.1870 Identification of plan.

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</table>

Summary of Criteria Pollutant Attainment Plans

PM_{2.5} (2012) ..... Cleveland .......... 10/14/2016 9/6/2018, [insert Federal Register citation]. EPA is approving the following elements: the base year 2011 emissions inventory; the demonstration of attainment for 2021; current controls as meeting RACM requirements.

Summary of Criteria Pollutant Maintenance Plan

| * | * | * | * | * |

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[FR Doc. 2018–19144 Filed 9–5–18; 8:45 am]
BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52


Air Plan Approval; Vermont; Infrastructure State Implementation Plan Requirements for the 2012 PM_{2.5} NAAQS

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving a State Implementation Plan (SIP) revision submitted by the State of Vermont that addresses the infrastructure SIP requirements of the Clean Air Act (CAA or Act)—including the interstate transport provisions—for the 2012 fine particle (PM_{2.5}) National Ambient Air Quality Standards (NAAQS). The infrastructure requirements are designed to ensure that the structural components
of each state’s air quality management program are adequate to meet the state’s responsibilities under the CAA. EPA is taking this action under the Clean Air Act.

DATES: This rule is effective on October 9, 2018.

ADDRESSES: EPA has established a docket for this action under Docket Identification No. EPA–R01–OAR–2017–0696. All documents in the docket are listed on the [https://www.regulations.gov website](https://www.regulations.gov). Although listed in the index, some information is not publicly available, i.e., 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](https://www.regulations.gov) or at the U.S. Environmental Protection Agency, EPA Region 1 Regional Office, Office of Ecosystem Protection, Air Quality Planning Unit, 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.

FOR FURTHER INFORMATION CONTACT: Alison C. Simcox, Air Quality Unit, U.S. Environmental Protection Agency, EPA Region 1, 5 Post Office Square—Suite 100, (Mail code OEP05–2), Boston, MA 02109–3912, tel. (617) 918–1684, email simcox.alison@epa.gov.

SUPPLEMENTARY INFORMATION: Throughout this document whenever “we,” “us,” or “our” is used, we mean EPA.

Table of Contents
I. Background and Purpose
II. Response to Comments
III. Final Action
IV. Statutory and Executive Order Reviews

I. Background and Purpose

On June 29, 2018 (83 FR 30598), EPA published a Notice of Proposed Rulemaking (NPRM) for the State of Vermont. In the NPRM, EPA proposed to approve an infrastructure SIP revision for the 2012 fine particle (PM$_{2.5}$) National Ambient Air Quality Standards (NAAQS) that Vermont submitted to EPA on October 31, 2017. This submittal included an enclosure addressing the “Good Neighbor” (or “transport”) provisions of the Act for the 2012 PM$_{2.5}$ NAAQS (Section 110(a)(2)(D)(ii) of the CAA). Under sections 110(a)(1) and (2) of the CAA, states are required to submit infrastructure SIPs to ensure that SIPs provide for implementation, maintenance, and enforcement of the NAAQS, including the 2012 PM$_{2.5}$ NAAQS.

This rulemaking does not cover three substantive areas that are not integral to acting on a state’s infrastructure SIP submission: (i) Existing provisions related to excess emissions during periods of start-up, shutdown, or malfunction at sources (“SSM” emissions) that may be contrary to the CAA and EPA’s policies addressing such excess emissions; (ii) existing provisions related to “director’s variance” or “director’s discretion” that purport to permit revisions to SIP-approved emissions limits with limited public process or without requiring further approval by EPA, that may be contrary to the CAA (“director’s discretion”); and, (iii) existing provisions for Prevention of Significant Deterioration (PSD) programs that may be inconsistent with current requirements of EPA’s “Final New Source Review (NSR) Improvement Rule,” 67 FR 80186 (December 31, 2002), as amended by 72 FR 32526 (June 13, 2007) (“NSR Reform”). Instead, EPA has the authority to address each of these substantive areas separately. A detailed history, interpretation, and rationale for EPA’s approach to infrastructure SIP requirements can be found in EPA’s May 13, 2014, proposed rule entitled, “Infrastructure SIP Requirements for the 2008 Lead NAAQS” in the section, “What is the scope of this rulemaking?” See 79 FR 27241 at 27242–45.

The NPR includes the rationale for approval, and EPA will not restate it here. Three public comments were received on the NPRM.

II. Response to Comments

EPA received three comments during the comment period. All comments discuss subjects outside the scope of an infrastructure SIP action, do not explain (or provide a legal basis for) how the proposed action should differ in any way, and, indeed, make no specific mention of the proposed action. Consequently, the three comments are not germane to this rulemaking and require no further response.

III. Final Action

EPA is approving Vermont’s October 2017 infrastructure SIP submission for the 2012 PM$_{2.5}$ NAAQS as a revision to the Vermont SIP.

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, 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);
- This action is not an Executive Order 13771 regulatory action because this action is not significant 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 Clean Air Act; and
- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human

1 PM$_{2.5}$ refers to particulate matter of 2.5 microns or less in diameter, often referred to as “fine” particles.
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 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 required information to the U.S. Senate, required information to the U.S. House of Representatives, and reporting containing this action and other of the United States. EPA will submit a rule report, which includes a copy of the rule, to each House of the Congress and to 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 is published 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 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 November 5, 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 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, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping

**VERMONT NON-REGULATORY**

<table>
<thead>
<tr>
<th>Name of nonregulatory SIP provision</th>
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<th>State submittal date/ effective date</th>
<th>EPA approval date</th>
<th>Explanation</th>
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<td>10/31/2015</td>
<td>9/6/2018, [Insert Federal Register citation].</td>
<td>These submittals are approved with respect to the following CAA elements or portions thereof: 110(a)(2) (A), (B), (C), (D), (E)(1), (E)(2), (F), (G), (H), (J1), (J2), (J3), (K), (L), and (M).</td>
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**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

43 CFR Part 8365

**[17X.LUTW01100.L12200000.AL0000]**

Prohibition of Target Shooting on Public Lands in the Eastern Lake Mountains, Utah County, Utah

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Interim final supplementary rule.

**SUMMARY:** The Bureau of Land Management (BLM) Utah State Director hereby establishes an interim final supplementary rule (rule) prohibiting target shooting within a 2,004-acre area on BLM-administered public lands in the Eastern Lake Mountains area of the Salt Lake Field Office, Eastern Lake Mountains, Utah County, Utah. The rule is necessary to implement and enforce this long-term prohibition to provide for public safety and historic properties (specifically Native American petroglyphs), as authorized in the Decision Record for the Eastern Lake Mountains Target Shooting Resource Management Plan Amendment (RMPA). The rule does not restrict other public activities in or access to or through the Lake Mountains, including legal hunting.

**DATES:** The rule is effective on September 6, 2018. You may submit comments to the BLM on or before November 5, 2018.

**ADDRESSES:** You may submit comments by any of the following methods:

- **Mail:** Bureau of Land Management,Attention: Matt Preston, Salt Lake Field Office, 2370 South Decker Lake Boulevard, West Valley City, Utah 84119.
  
  Email: blm_ut_sl_comments@blm.gov.

  NEPA Register: https://go.usa.gov/xXBNF.

  The environmental assessment, Decision Record, and RMPA are available for public review at the mailing and NEPA Register website addresses in this section.

**FOR FURTHER INFORMATION CONTACT:** Matt Preston, BLM Salt Lake Field Manager, Bureau of Land Management at 801–977–4300. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at 1–800–877–8339 to contact the above individual. The FRS