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 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 (5 U.S.C. 601 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. The 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. 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 CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by November 26, 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 requirements, Sulfur oxides, Volatile organic compounds.


Onis “Trey” Glenn, III, Regional Administrator, Region 4.

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.

Subpart II—North Carolina

2. In § 52.1770, the table in paragraph (e) is amended by adding the entry “North Carolina Removal of 26 Counties from Inspection and Maintenance Program and 110(l) Non-Interference Demonstration” at the end of the table to read as follows:

§ 52.1770 Identification of plan.

<table>
<thead>
<tr>
<th>*</th>
<th>*</th>
<th>*</th>
<th>*</th>
<th>*</th>
</tr>
</thead>
<tbody>
<tr>
<td>(e) *</td>
<td>*</td>
<td>*</td>
<td>*</td>
<td></td>
</tr>
</tbody>
</table>

[FR Doc. 2018–20748 Filed 9–24–18; 8:45 am]

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EPA-APPROVED NORTH CAROLINA NON-REGULATORY PROVISIONS

<table>
<thead>
<tr>
<th>Provision</th>
<th>State effective date</th>
<th>EPA approval date</th>
<th>Federal Register citation</th>
<th>Explanation</th>
</tr>
</thead>
</table>

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52


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 (“NOx”) submitted by the New Jersey Department of Environmental Protection for the 2008 national ambient air quality standard (“NAAQS”) for ozone are adequate for transportation conformity purposes for the New Jersey portions of the New York-Northern New Jersey-Long Island, NY–NJ–CT 2008 8-hour ozone nonattainment area.
the New Jersey portion of the New York-Northern New Jersey-Long Island, NY–CT 2008 8-hour ozone nonattainment area. We announced availability of the plan and related budgets on the EPA’s transportation conformity website on February 8, 2018, requesting comments by March 12, 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>
<thead>
<tr>
<th>Year</th>
<th>NOₓ</th>
<th>VOC</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>103.22</td>
<td>48.69</td>
</tr>
</tbody>
</table>

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 prejudge 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, NJTPA 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. 7401–7671q.