

implementation of the CSAPR Phase 2 EGU emission budgets. The 2014 modeling results projected that the Allegan County receptor would have a maximum 8-hour ozone “design value” of 83.6 part per billion (ppb) before considering the emissions reductions anticipated from implementation of CSAPR.<sup>13</sup> This value is below the value of 85 ppb that we used to determine whether a particular ozone receptor should be identified as having air quality problems that may trigger transport obligations in upwind states with regard to the 1997 ozone NAAQS (76 FR 48208, 48236). The 2014 modeling results show that the Allegan County, Michigan monitor to which Oklahoma was linked in the 2012 modeling was projected to no longer have air quality problems sufficient to trigger transport obligations with regard to the 1997 8-hour ozone NAAQS. Thus, Oklahoma would no longer interfere with maintenance of the 1997 ozone NAAQS at the Allegan County receptor in 2014.

As discussed above, in light of the remand of 10 other states’ CSAPR phase 2 ozone season budgets by the D.C. Circuit in *EME Homer City II*, we also evaluated the validity of the emissions budget promulgated for Oklahoma in the supplemental CSAPR rule, and determined that Oklahoma’s emissions would no longer contribute significantly to nonattainment in, or interfere with maintenance by, any other state with respect to the 1997 ozone NAAQS at either receptor or in any other state. (81 FR 74524–25). This conclusion is based on EPA’s most recent modeling analysis.

### III. Proposed Action

We are proposing to approve the portion of a May 1, 2007 Oklahoma SIP submittal pertaining to the interfere with maintenance requirement of CAA section 110(a)(2)(D)(i)(I) with respect to the 1997 ozone NAAQS. We propose to find that the state’s conclusion that Oklahoma emissions do not interfere with maintenance of the 1997 ozone NAAQS in another state is consistent with our conclusion regarding this good neighbor obligation.

### IV. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission

<sup>13</sup> Design values are used to determine whether a NAAQS is being met. See projected 2014 base case maximum design value for Allegan County, Michigan receptor 26005003 at page B–16 of the June 2011 Air Quality Modeling Final Rule Technical Support Document for CSAPR, Document ID No. EPA–HQ–OAR–2009–0491–4140, available in [regulations.gov](http://www.regulations.gov).

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 CAA. Accordingly, this action merely proposes to approve 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 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). 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 proposed 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, Ozone.

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

Dated: November 7, 2018.

**Anne Idsal,**

*Regional Administrator, Region 6.*

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA–R03–OAR–2018–0153; FRL–9986–62–Region 3]

### Approval and Promulgation of Air Quality Implementation Plans; Maryland; Amendment to Control of Emissions of Volatile Organic Compounds From Consumer Products

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

**ACTION:** Proposed rule; reopening of comment period.

**SUMMARY:** The Environmental Protection Agency (EPA) is reopening the comment period for the proposed approval to a state implementation plan (SIP) revision submitted by the State of Maryland pertaining to the Code of Maryland Regulations (COMAR) 26.11.32—Control of Emissions of Volatile Organic Compounds (VOCs) from Consumer Products. The proposed rule was published in the **Federal Register** on August 8, 2018 (83 FR 39009). Written comments on the proposed rule were to be submitted to EPA on or before September 7, 2018. The purpose of this document is to reopen the comment period for an additional 30 days. This extension of the comment period is provided to allow the public additional time to provide comment on the August 8, 2018 proposed rule. All comments submitted between the close of the original comment period and the reopening of this comment period will be accepted and considered.

**DATES:** Written comments must be received on or before December 17, 2018.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA–R03–OAR–2018–0153 at <http://www.regulations.gov>, or via email to Susan Spielberger, Associate Director, Office of Air Planning and Programs, [Spielberger.Susan@epa.gov](mailto:Spielberger.Susan@epa.gov). For

comments submitted at *Regulations.gov*, follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. For either manner of submission, 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. 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, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <http://www2.epa.gov/dockets/commenting-epa-dockets>.

**FOR FURTHER INFORMATION CONTACT:** Gregory Becoat (215) 814–2036, or by email at [becoat.gregory@epa.gov](mailto:becoat.gregory@epa.gov).

**SUPPLEMENTARY INFORMATION:** On August 8, 2018 (83 FR 39009), EPA proposed approval to a SIP revision submitted by the Maryland Department of Environment (MDE) for COMAR 26.11.32—Control of Emissions of Volatile Organic Compounds from Consumer Products. The amendment is part of Maryland’s strategy to achieve and maintain the 8-hour ozone national ambient air quality standards (NAAQS) throughout the State.

### I. Extension of Comment Period

EPA is reopening the comment period due to a comment noting that the California Air Resources Board (CARB) and the Ozone Transport Commission (OTC) model rules referenced in the NPR were not in the docket on *www.regulations.gov*. EPA has now put these documents into the docket identified by Docket ID No. EPA–R03–OAR–2018–0153 at [www.regulations.gov](http://www.regulations.gov).

### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Consumer products, Incorporation by reference, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

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

Dated: November 1, 2018.

**Cosmo Servidio,**

*Regional Administrator, Region III.*

[FR Doc. 2018–25078 Filed 11–15–18; 8:45 am]

**BILLING CODE 6560–50–P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 600

[Docket No. 180212158–8158–01]

RIN 0648–BH73

#### Magnuson-Stevens Fishery Conservation and Management Act Provisions; Regional Fishery Management Council Membership; Financial Disclosure and Recusal

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Proposed rule; request for comments.

**SUMMARY:** NMFS proposes changes to the regulations that address disclosure of financial interests by, and voting recusal of, council members appointed by the Secretary of Commerce (Secretary) to the regional fishery management councils established under the Magnuson-Stevens Fishery Conservation and Management Act. The regulatory changes are needed to provide guidance to ensure consistency and transparency in the calculation of a Council member’s financial interests; determine whether a close causal link exists between a Council decision and a benefit to a Council member’s financial interest; and establish regional procedures for preparing and issuing recusal determinations. This proposed rule is intended to improve regulations implementing the statutory requirements governing disclosure of financial interests and voting recusal at section 302(j) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

**DATES:** Written comments must be received on or before March 6, 2019.

**ADDRESSES:** You may submit comments on this document, identified by FDMS Docket Number NOAA–NMFS–2018–0092, by any of the following methods:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to [www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2018-0092](http://www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2018-0092), click the “Comment Now!” icon,

complete the required fields, and enter or attach your comments.

- **Fax:** 301–713–1175.
- **Mail:** Submit written comments to Alan Risenhoover, Director, Office of Sustainable Fisheries, National Marine Fisheries Service, 1315 East-West Highway, SSMC3, Silver Spring, MD 20910. Please mark the outside of the envelope “Financial Disclosure/Recusal.”

**Instructions:** Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on [www.regulations.gov](http://www.regulations.gov) without change. All personal identifying information (for example, name, address, etc.) submitted voluntarily by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information. NMFS will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous).

Electronic copies of NMFS Policy Directive 01–116 Fishery Management Council Financial Disclosures and NMFS Procedural Directive 01–116–01 Procedures for Review of Fishery Management Council Financial Disclosures may be obtained at <https://www.fisheries.noaa.gov/national/laws-and-policies/fisheries-management-policy-directives>.

**FOR FURTHER INFORMATION CONTACT:** Brian Fredieu, 301–427–8505.

**SUPPLEMENTARY INFORMATION:** Section 302 of the Magnuson-Stevens Act (16 U.S.C. 1852) includes provisions for the establishment and administration of the regional fishery management councils (Councils). Section 302(j) (16 U.S.C. 1852(j)) sets forth the statutory requirements for the disclosure of financial interests, and the circumstances under which a Council member is prohibited, or recused, from voting on a matter before a Council. These requirements apply to “affected individuals.” The Magnuson-Stevens Act defines “affected individual” at section 302(j)(1)(A) as individuals who are nominated by the Governor of a State for appointment as a voting member of a Council under section 302(b)(2), and voting members of a Council appointed under section 302(b)(2), or (b)(5) if the individual is not subject to disclosure and recusal requirements under the laws of an Indian tribal government. An affected individual is required to disclose any