

This action is subject to the Congressional Review Act, and the EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. 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 July 13, 2026. 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, Intergovernmental relations, Nitrogen oxides, Ozone, Volatile organic compounds.

Dated: May 4, 2026.

Anne Vogel,
Regional Administrator, Region 5.

For the reasons stated in the preamble, title 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 § 52.1170, the table in paragraph (e) is amended under the heading “Infrastructure,” by revising the entry for “Section 110(a)(2) infrastructure requirements for the 2015 ozone NAAQS” to read as follows:

§ 52.1170 Identification of plan.

* * * * *
(e) * * *

EPA-APPROVED—MICHIGAN NONREGULATORY AND QUASI-REGULATORY PROVISIONS

Name of nonregulatory SIP provision	Applicable geographic or nonattainment area	State submittal date	EPA Approval date	Comments
*	*	*	*	*
Infrastructure				
*	*	*	*	*
Section 110(a)(2) infrastructure requirements for the 2015 ozone NAAQS.	Statewide	3/8/2019	5/14/2026, 91 FR [INSERT FEDERAL REGISTER PAGE WHERE THE DOCUMENT BEGINS].	Approved CAA elements: 110(a)(2)(A), (B), (C), (D)(i)(II) Prong 3, D(ii), (E), (F), (G), (H), (J), (K), (L), and (M). Disapproved CAA elements: 110(a)(2)(D)(i)(I) Prongs 1 and 2, and 110(a)(2)(D)(i)(II) Prong 4.
*	*	*	*	*

* * * * *
[FR Doc. 2026-09616 Filed 5-13-26; 8:45 am]
BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R05-OAR-2024-0617; EPA-R05-OAR-2024-0618; FRL-13163-02-R5]

Air Plan Approval; Illinois; Moderate Attainment Plan Elements for the Chicago and Metro East Areas for the 2015 Ozone Standard

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving portions of Illinois’ 2015 ozone National Ambient Air Quality Standard (NAAQS or standard) Moderate nonattainment area State Implementation Plan (SIP) submittal for the Chicago and the Metro East St. Louis areas. The portions being

approved are the reasonable further progress (RFP) demonstration, including the associated motor vehicle emissions budgets for 2023; the motor vehicle inspection and maintenance (I/M) program; the nonattainment new source review (NNSR) program; and the updated 2017 base year emissions inventories. The EPA is approving these portions of the State’s SIP submittal pursuant to section 110 and part D of the Clean Air Act (CAA), and the EPA’s regulations. The EPA is also finding adequate and approving the 2023 motor vehicle emissions budgets (budgets) for the Chicago and Metro East St. Louis Moderate ozone nonattainment RFP demonstration included in this SIP submittal. The EPA proposed to approve this action on February 12, 2026, and received no adverse comments.

DATES: This final rule is effective on June 15, 2026.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA-R05-OAR-2024-0617 or EPA-R05-OAR-2024-0618. All documents in the docket are listed on the [https://](https://www.regulations.gov)

www.regulations.gov website. Although listed in the index, some information is not publicly available, *i.e.*, Confidential Business Information (CBI), Proprietary Business Information (PBI), 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 either through <https://www.regulations.gov> or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional information.

FOR FURTHER INFORMATION CONTACT: Nicole Naber, Air and Radiation Division (AR18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, telephone number: (312) 886-6609, email address: naber.nicole@epa.gov.

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

I. Background Information

The Illinois Environmental Protection Agency (Illinois EPA) submitted SIP revisions on December 18, 2024, to address Moderate area requirements for the Chicago and Metro East areas under the 2015 ozone NAAQS. These submittals contained several nonattainment plan elements, including an updated 2017 base year emissions inventory for volatile organic compounds (VOC) and oxides of nitrogen (NO_x), a 15% RFP plan with 2023 VOC and NO_x motor vehicle emissions budgets, an I/M program certification, and an NNSR certification. The submittals also included an attainment demonstration, a reasonably available control measures demonstration, and contingency measures, which are not being addressed in this action. Illinois' SIP submittals and associated supporting documents are available in the docket for this action. On February 12, 2026 (91 FR 6568), the EPA proposed to approve portions of Illinois' attainment plan SIP revision request, dated December 18, 2024, pursuant to section 110 and part D of CAA. An explanation of the CAA requirements, a detailed analysis of the revisions, and the EPA's reasons for proposing approval were provided in the notice of proposed rulemaking and will not be restated here. The public comment period for this proposed rule ended on March 16, 2026. The EPA received no comments on the proposal; therefore, we are finalizing our action as proposed.

II. Final Action

The EPA is approving portions of Illinois' attainment plan SIP revision request, dated December 18, 2024, pursuant to section 110 and part D of CAA. The EPA is approving Illinois' updated 2017 base year emissions inventory, RFP demonstration including 2023 budgets, I/M certification, and NNSR requirements of the CAA for the Chicago and Metro East nonattainment areas for the 2015 ozone NAAQS. The EPA is also finding adequate and approving the 2023 motor vehicle emissions budgets for the Chicago and Metro East St. Louis Moderate ozone nonattainment areas included in this SIP submittal.

III. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submittal 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 submittals, the 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 action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Is not an Executive Order 14192 (90 FR 9065, February 6, 2025) 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 subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a State program;
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
- 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.

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where the 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).

This action is subject to the Congressional Review Act, and the EPA will submit a rule report to each House

of the Congress and to the Comptroller General of the United States. 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 July 13, 2026. 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, Intergovernmental relations, Nitrogen oxides, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: May 4, 2026.

Anne Vogel,

Regional Administrator, Region 5.

For the reasons stated in the preamble, title 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 § 52.720, amend the table in paragraph (e):
 - a. Adding a new entry for "Ozone (8-hour, 2015) Nonattainment New Source Review Requirements" before the entry for "Regional haze plan";
 - b. Under "Emission Inventories" by revising the entry for "Emission Inventory—2017 (2015 8-hour ozone)"; and
 - c. Under "Moderate Area & Above Ozone Requirements" by adding an entry for "2015 8-hour Ozone Moderate Planning Elements" after the entry for "2008 8-hour Ozone Serious Planning Elements".

The additions and revision read as follows:

§ 52.720 Identification of plan.

* * * * *
(e) * * *

EPA-APPROVED ILLINOIS NONREGULATORY AND QUASI-REGULATORY PROVISIONS

Name of SIP provision	Applicable geographic or nonattainment area	State submittal date	EPA approval date	Comments
* * * Ozone (8-hour, 2015) Non-attainment New Source Review Requirements.	* * * Chicago and St. Louis areas ..	* * * 10/09/2024	* * * 5/14/2026, 91 FR [INSERT FEDERAL REGISTER PAGE WHERE THE DOCUMENT BEGINS].	* * *
Emissions Inventories				
* * * Emissions inventory—2017 (2015 8-hour ozone).	* * * Chicago and St. Louis areas ..	* * * 10/09/2024	* * * 5/14/2026, 91 FR [INSERT FEDERAL REGISTER PAGE WHERE THE DOCUMENT BEGINS].	* * *
Moderate Area & Above Ozone Requirements				
* * * 2015 8-hour Ozone Moderate Planning Elements.	* * * Chicago and St. Louis areas ..	* * * 10/09/2024	* * * 5/14/2026, 91 FR [INSERT FEDERAL REGISTER PAGE WHERE THE DOCUMENT BEGINS].	* * * 2023 VOC and NO _x Motor Vehicle Emissions Budgets, Motor Vehicle Inspection and Maintenance Program certification.

[FR Doc. 2026-09613 Filed 5-13-26; 8:45 am]
BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R08-OAR-2025-2070; FRL-13177-02-R8]

Air Plan Approval; Montana; Revisions to Western Sugar Stipulation

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving revisions to the Montana State Implementation Plan (SIP). These revisions specifically address sulfur dioxide (SO₂) emission limits and associated requirements related to the Western Sugar Cooperative facility in Billings, Montana. The EPA is taking this action pursuant to the Clean Air Act (CAA).

DATES: This rule is effective on June 15, 2026.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA-R08-OAR-2025-2070. All

documents in the docket are listed on the <https://www.regulations.gov> website. Although listed in the index, some information is not publicly available, e.g., Confidential Business Information (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 through <https://www.regulations.gov>, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information.

FOR FURTHER INFORMATION CONTACT: Adam Clark, Air and Radiation Division, EPA, Region 8, Mailcode 8ARD-IO, 1595 Wynkoop Street, Denver, Colorado 80202-1129, telephone number: (303) 312-7104, email address: clark.adam@epa.gov.

SUPPLEMENTARY INFORMATION: Throughout this document “we,” “us,” and “our” means the EPA.

I. Background

The background for this action is discussed in detail in our January 23, 2026 proposal (91 FR 2892). In that document we proposed to approve

Montana’s September 25, 2025 revisions to Exhibit A of a 1998 Stipulation adopting an SO₂ control plan for the Billings Western Sugar Cooperative facility (hereon “Western Sugar Stipulation”) into the Montana SIP. These revisions included the removal of the continuous emission monitor and flow rate monitor requirements on the boiler house stack, replacement of the 190-day annual campaign limit with a heat input limit, removal of the SO₂ emission limits and monitoring and reporting requirements for the pulp dryer units and the addition of a requirement to burn natural gas, and the removal of “facility modifications” requirements, which have already been completed.

We received four comments, all from individuals, on our January 23, 2026 proposed approval. Our responses to the comments are below.

II. Response to Comments

Comment: All of the commenters expressed support for the EPA’s proposed action.

Response: The EPA acknowledges and appreciates the comments in support of this rulemaking action.

Comment: One commenter generally stated that there should be more