

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

resources allocated to the regulation and monitoring of methane.

Response: The EPA acknowledges the comment. However, we do not find the comment to be sufficiently specific or relevant to the action we are taking today to warrant a specific response.

III. Final Action

The EPA is approving Montana's September 25, 2025 revisions to Exhibit A of the Western Sugar Stipulation into the Montana SIP. The EPA is taking this action pursuant to the CAA.

IV. Incorporation by Reference

In this document, the EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is finalizing the incorporation by reference "Western Sugar June 12, 1998 Exhibit A. Emission Limitations and Other Conditions," as discussed in section I. of this preamble. The EPA has made, and will continue to make, these materials generally available through <https://www.regulations.gov> and at the EPA Region 8 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information). Therefore, these materials have been approved by the EPA for inclusion in the SIP, have been incorporated by reference by the EPA into that plan, are fully federally enforceable under sections 110 and 113 of the CAA as of the effective date of the final rulemaking of the EPA's approval, and will be incorporated by reference in the next update to the SIP compilation.¹

V. Statutory and Executive Order Reviews

Under the CAA, 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, the EPA's role is to approve State choices, provided 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).

The Congressional Review Act (CRA), 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. Section 804, however, exempts from section 801 the following types of rules: rules of

particular applicability; rules relating to agency management or personnel; and rules of agency organization, procedure, or practice that do not substantially affect the rights or obligations of non-agency parties. 5 U.S.C. 804(3). Because this is a rule of particular applicability, the EPA is not required to submit a rule report regarding this action under section 801.

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, Lead, Nitrogen oxides, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: May 5, 2026.

Cyrus M. Western,
Regional Administrator, Region 8.

For the reasons set forth in the preamble, 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 BB—Montana

■ 2. In § 52.1370, amend the table in paragraph (d) under the entry "(11) Yellowstone County:" by revising the entry "Western Sugar June 12, 1998 Exhibit A. Emission Limitations and Other Conditions" to read as follows:

§ 52.1370 Identification of plan.

* * * * *
(d) * * *

¹ 62 FR 27968 (May 22, 1997).

| Title/subject | State effective date | Notice of final rule date | NFR citation |
|-----------------------------------------------------------------------------------|----------------------|---------------------------|------------------------------------------------------------------------|
| (11) Yellowstone County: | | | |
| Western Sugar June 12, 1998 Exhibit A. Emission Limitations and Other Conditions. | 8/29/2025 | 5/14/2026 | 91 FR [insert FEDERAL REGISTER page where the document begins]. |

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[FR Doc. 2026-09619 Filed 5-13-26; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R05-OAR-2026-0562; FRL-13213-02-R5]

Air Plan Approval; Ohio; Clean Data Determination for the Cleveland, Ohio Area for the 2015 Ozone Standard

AGENCY: Environmental Protection Agency (EPA).
ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is determining under the Clean Air Act (CAA) that the Cleveland, Ohio nonattainment area (hereafter also referred to as “Cleveland area” or “area”) has attained the 2015 ozone National Ambient Air Quality Standard (NAAQS or standard). This determination is based upon complete, quality-assured, and certified ambient air monitoring data for the 2023–2025 design period showing that the Cleveland area achieved attainment of the 2015 ozone NAAQS. This determination relies on an exceptional events request submitted by the Ohio Environmental Protection Agency (Ohio EPA) on December 8, 2025, and concurred on by the EPA on January 12, 2026. The EPA is taking final agency action on Ohio’s exceptional events request and the EPA’s concurrence. As a result of this determination, the EPA is suspending the requirements for the State to submit an attainment demonstration and associated Reasonable Available Control Measures (RACM), Reasonable Further Progress (RFP) plans, contingency measures for failure to attain or make reasonable progress, and other planning SIPs related to attainment of the 2015 ozone NAAQS, for as long as the area continues to attain the 2015 ozone NAAQS. The EPA proposed to approve this action on February 27, 2026.

DATES: This final rule is effective on May 14, 2026.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA-R05-OAR-2026-0562. 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, *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: Cecilia Magos, Air and Radiation Division (AR18), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, telephone number: (312) 886-7336, email address: magos.cecilia@epa.gov.

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

I. Background Information

The EPA has determined that ground-level ozone is detrimental to human health. On October 1, 2015, the EPA promulgated a revised 8-hour ozone NAAQS of 0.070 parts per million (ppm).¹ Under the EPA’s regulations at 40 CFR part 50, the 2015 ozone NAAQS is attained in an area when the 3-year average of the annual fourth highest daily maximum 8-hour average concentration is equal to or less than 0.070 ppm, when truncated after the thousandth decimal place, at all of the ozone monitoring sites in the area. See

¹ See 80 FR 65292, (October 26, 2015).

40 CFR 50.19 and appendix U at 40 CFR part 50.

Upon promulgation of a new or revised NAAQS, section 107(d)(1)(B) of the CAA requires the EPA to designate as nonattainment any areas that area violating the NAAQS, based on the most recent three years of quality-assured ozone monitoring data. The Cleveland area, consisting of Cuyahoga, Geauga, Lake, Lorain, Medina, Portage, and Summit Counties, was designated as a Marginal nonattainment area for the 2015 ozone NAAQS on June 4, 2018, (83 FR 25776) (effective August 3, 2018). On October 7, 2022 (87 FR 60897), the EPA determined that the Cleveland area did not attain the standard by the Marginal attainment date, and the area was reclassified as Moderate by operation of law. More recently, on December 17, 2024 (89 FR 101901), the EPA determined the area did not attain the standard by the Moderate attainment date, and the area was reclassified as Serious by operation of law.

On February 27, 2026 (91 FR 9800), the EPA proposed to approve a determination under the CAA that the Cleveland area has attained the 2015 ozone NAAQS based upon complete, quality-assured, and certified ambient air monitoring data for the 2023–2025 design period. Such a determination, based upon the EPA’s Clean Data Policy, is known informally as a clean data determination (CDD). The EPA’s proposed CDD relied upon the EPA’s concurrence on an exceptional events request submitted by Ohio EPA on December 8, 2025. The EPA also proposed to take final agency action on Ohio EPA’s exceptional events request concurred on by the EPA on January 12, 2026. As a result of this determination and pursuant to 40 CFR 51.1318, the EPA proposed to suspend the requirements for the area to submit attainment demonstrations and associated RACM, RFP plans, contingency measures for failure to attain or make reasonable progress, and other planning SIPs related to attainment of the 2015 ozone NAAQS,