

analysis of source-specific RACT controls statewide; Table 3–1 lists facilities with source-specific RACT conditions and indicates whether controls are pending State/EPA approval or already approved and in effect. EPA's review of Table 3–1 shows several facilities are expected to request termination of Alternative Control Plans, emission limitations, or Facility Specific Emission Limits because the relevant units have been retired or are anticipated to undergo permit renewal. EPA continues its coordination with NJDEP to address the status of remaining source-specific SIPs referenced in Tables 11–3 and 11–4 of the November 23, 2021, SIP submission and Table 3–1 of the March 3, 2025 SIP submission. Once submitted, these source specific SIPs will be addressed in future separate actions.¹³

EPA has reviewed New Jersey's RACT certification demonstration and proposes to determine that the State's regulatory requirements for VOC and NO_x emissions from major sources accomplish a RACT level of control for both pollutants. Regarding the CTG and ACT categories, New Jersey has reviewed previously approved RACT controls and EPA agrees with the State's evaluation that those previously adopted controls still represent RACT for the Serious classification of the 2008 ozone Standard, the Moderate classification of the 2015 ozone Standard, and requirements associated with the OTR for the 2015 ozone NAAQS. Also, the SIP-approved New Jersey RACT rules have more stringent emission limits and/or lower thresholds of applicability than the recommendations contained in the CTG and ACT documents. Since EPA agrees that the regulations which New Jersey has cited as meeting RACT do conform with RACT for the 2015 and 2008 ozone standards, EPA proposes approval of New Jersey's RACT certifications SIP revisions requests dated November 23, 2021, and March 3, 2025.

IV. EPA's Proposed Action

EPA proposes to approve New Jersey's SIP revisions dated November 23, 2021, and March 3, 2025, addressing RACT for: (1) the 2008 8-hour ozone NAAQS in the New Jersey portion of the New York-Northern New Jersey-Long Island Serious nonattainment area; (2) the 2015 8-hour ozone NAAQS (Moderate classification) in the NYMA; (3) the statewide 2015 ozone RACT obligation within the OTR, consistent with CAA

Section 184(b)(1); (4) and the 2015 8-hour ozone NAAQS (Moderate classification) for the New Jersey portion of the Philadelphia-Wilmington-Atlantic City (PA–NJ–MD–DE) Moderate nonattainment area.

EPA is soliciting public comments on the issues discussed in this notice. These comments will be considered before taking final action. Interested parties may participate in the Federal rulemaking procedure by submitting written comments to this proposed rule by following the instructions listed in the ADDRESSES section of this **Federal Register**.

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 CAA 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 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 proposed action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, Oct. 4, 1993);
- Is not subject to Executive order 14192 (90 FR 9065, Feb. 6, 2025) because SIP actions are exempt from review 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, Aug. 10, 1999);
- Is not subject to Executive Order 13045 (62 FR 19885, Apr. 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 Clean Air Act.

In addition, this proposed rulemaking pertaining to New Jersey's submissions, 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, Nov. 9, 2000).

List of Subjects in 40 CFR Part 52

Environmental Protection, Air Pollution Control, Incorporation by Reference, Intergovernmental Relations, Nitrogen Dioxide, Ozone, Reporting and Recordkeeping Requirements, Volatile Organic Compounds.

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

Michael Martucci,

Regional Administrator, Region 2.

[FR Doc. 2026–14923 Filed 7–22–26; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R03–OAR–2026–1817; FRL–13342–01–R3]

Air Plan Approval; Pennsylvania; Harrisburg-Lebanon-Carlisle-York Maintenance Area, Second 10-Year Maintenance Plan for the 2006 Fine Particulate Matter National Ambient Air Quality Standard

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve under the Clean Air Act (CAA), the Second Maintenance Plan for the Harrisburg-Lebanon-Carlisle and York Maintenance Area (Harrisburg-York Area) for the 2006 Fine Particulate Matter national ambient air quality standard (NAAQS) (Second 10-Year Maintenance Plan) as a revision to the state implementation plan (SIP). The SIP revision, submitted on February 7, 2025 by the Pennsylvania Department of Environmental Protection (PADEP), addresses the second 10-year maintenance period for particulate matter with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers (µm), commonly known as

¹³ EPA has approved previous versions of these source-specific determinations. See 40 CFR 52.1570(d).

fine particulate matter or PM_{2.5}. The Plan includes, among other elements, a base year emissions inventory, a maintenance demonstration, contingency provisions, and motor vehicle emissions budgets for use in transportation conformity determinations, to ensure the continued maintenance of the 2006 PM_{2.5} NAAQS. The EPA is also proposing to find adequate and approve the motor vehicle emission budgets for the Harrisburg-York Area.

DATES: Written comments must be received on or before August 24, 2026.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R03–OAR–2026–1817 at www.regulations.gov, or via email to gordon.mike@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, the 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. The 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 www.epa.gov/dockets/commenting-epa-dockets.

FOR FURTHER INFORMATION CONTACT: Adam Lewis, Planning & Implementation Branch (3AD30), Air & Radiation Division, U.S. Environmental Protection Agency, Region III, 1600 John F Kennedy Boulevard, Philadelphia, Pennsylvania 19103. The telephone number is (215) 814–2026. Mr. Adam Lewis can also be reached via electronic mail at lewis.adam@epa.gov.

SUPPLEMENTARY INFORMATION:

Table of Contents

- I. Background
 - A. The PM_{2.5} National Ambient Air Quality Standards

- B. Designation of PM_{2.5} NAAQS Nonattainment Area and Subsequent Actions
- II. The Second 10-Year Maintenance Plan Submittal and Procedural Requirements
- III. Evaluation of the Second 10-Year Maintenance Plan
 - A. Emissions Inventory
 - B. Maintenance Demonstration
 - C. Monitoring Network Requirements
 - D. Verification of Continued Attainment
 - E. Contingency Measures
 - F. Motor Vehicle Emissions Budgets for Transportation Conformity
- IV. Proposed Action
- V. Statutory and Executive Order Reviews

I. Background

A. The PM_{2.5} National Ambient Air Quality Standards

Under section 109 of the CAA, the EPA has established NAAQS for certain pervasive air pollutants (referred to as criteria pollutants) and conducts periodic reviews of the NAAQS to determine whether they should be revised or whether new NAAQS should be established. The EPA sets the NAAQS for criteria pollutants at levels required to protect public health and welfare.¹ The EPA's particulate matter standards address particles with diameters that are generally two and half micrometers or smaller (fine particulate matter or PM_{2.5}) and particles with diameters that are generally 10 micrometers or smaller (PM₁₀). PM_{2.5} is one of the ambient pollutants for which the EPA has established health-based standards.

Fine particulate matter contributes to effects that are harmful to human health and the environment, including premature mortality, aggravation of respiratory and cardiovascular disease, decreased lung function, visibility impairment, and damage to vegetation and ecosystems. Individuals particularly sensitive to PM_{2.5} exposure include older adults, people with heart and lung disease, and children. See 78 FR 3086 (January 15, 2013). PM_{2.5} can be emitted directly into the atmosphere as a solid or liquid particle (primary PM_{2.5} or direct PM_{2.5}) or can be formed in the atmosphere (secondary PM_{2.5}) as a result of various chemical reactions among precursor pollutants such as nitrogen oxides (NO_x), sulfur dioxide (SO₂),

¹ For a given air pollutant, “primary” national ambient air quality standards are those determined by the EPA as requisite to protect the public health. “Secondary” standards are those determined by the EPA as requisite to protect the public welfare from any known or anticipated adverse effects associated with the presence of such air pollutant in the ambient air. CAA section 109(b).

volatile organic compounds (VOCs), and ammonia (NH₃).²

On July 18, 1997 (62 FR 38652), the EPA revised the NAAQS for particulate matter to add new standards for PM_{2.5}. The Agency established primary and secondary annual and 24-hour standards for PM_{2.5}. The annual standard was set at 15.0 micrograms per cubic meter (µg/m³) based on a 3-year average of annual mean PM_{2.5} concentrations, and the 24-hour (daily) standard was set at 65 µg/m³ based on the 3-year average of the annual 98th percentile values of 24-hour PM_{2.5} concentrations at each population-oriented monitor within an area.

On October 17, 2006 (71 FR 61144), the EPA retained the annual average NAAQS at 15.0 µg/m³ but lowered the level of the 24-hour PM_{2.5} NAAQS to 35 µg/m³ based on a 3-year average of the annual 98th percentile values of 24-hour concentrations. On December 14, 2012, the EPA promulgated the 2012 PM_{2.5} NAAQS, including lowering the annual standard to 12.0 µg/m³ based on a 3-year average of annual mean PM_{2.5} concentrations. The EPA maintained the 24-hour standard of 35 µg/m³ based on a 3-year average of the 98th percentile of 24-hour concentrations. See 78 FR 3086 (January 15, 2013).

B. Designation of PM_{2.5} NAAQS Nonattainment Area and Subsequent Actions

Following promulgation of a new or revised NAAQS, the EPA is required by CAA section 107(d) to designate areas throughout the nation as attaining or not attaining the NAAQS. On January 5, 2005 (70 FR 944, 999), the EPA published air quality area designations for the 1997 PM_{2.5} NAAQS. In that rulemaking, the EPA designated the Harrisburg-Lebanon-Carlisle (Harrisburg Area) and York areas in Pennsylvania as nonattainment for the 1997 annual PM_{2.5} NAAQS. The Harrisburg Area was comprised of Cumberland, Dauphin and Lebanon Counties; and the York Area was comprised of York County in Pennsylvania. On November 13, 2009 (74 FR 58688) and effective on December 14, 2009, the EPA designated the Harrisburg-Lebanon-Carlisle/York Area (Harrisburg-York Area) as nonattainment for the 2006 24-hour PM_{2.5} NAAQS. See 40 CFR 81.339. Note that two distinct areas, the Harrisburg Area and the York Area, comprised the 1997 PM_{2.5} nonattainment area. The nonattainment area was re-defined as

² EPA, Air Quality Criteria for Particulate Matter, No. EPA/600/P–99/002aF and EPA/600/P–99/002bF, October 2004.

the Harrisburg-York Area for the 2006 24-hour PM_{2.5} NAAQS and included the counties previously included in the Harrisburg Area and the York Area. On July 29, 2011 (76 FR 45424), the EPA determined that the Harrisburg Area and the York Area had attained the 1997 annual PM_{2.5} NAAQS by the applicable attainment date of April 5, 2010. On March 29, 2012 (77 FR 18922), the EPA determined that the Harrisburg-York Area had clean data and monitored attainment for the 2006 24-hour PM_{2.5} NAAQS. Pursuant to 40 CFR 51.1004(c) and based on these determinations, the PADEP was no longer required to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standard as long as the area continue to meet the 24-hour 2006 PM_{2.5} NAAQS.

Section 175A of the CAA dictates that any state that submits a request for redesignation of a nonattainment area to attainment shall also submit a SIP revision that provides for the maintenance of the pertinent NAAQS for at least 10 years after the redesignation. This maintenance plan must, among other requirements, ensure control measures are in place such that the area will continue to maintain the standard for a 10-year period after redesignation, and include contingency provisions to ensure that violations of the NAAQS will be promptly remedied. On April 22, 2014, PADEP formally submitted requests to: (1) redesignate the Harrisburg Area and the York Area from nonattainment to attainment for the 1997 annual PM_{2.5} NAAQS and (2) redesignate the Harrisburg-York Area from nonattainment to attainment for the 2006 24-hour PM_{2.5} NAAQS. Concurrently, the PADEP submitted maintenance plans for the two areas as SIP revisions to ensure continued attainment throughout the areas over the next 10 years. The maintenance plans included the 2017 and 2025 PM_{2.5} and NO_x motor vehicle emissions budgets (budgets) for the Areas for the 1997 annual and the 2006 24-hour PM_{2.5} NAAQS for transportation conformity purposes. The PADEP also submitted a 2007 comprehensive emissions inventory for the 1997 annual and the 24-hour 2006 PM_{2.5} NAAQS for PM_{2.5},

NO_x, SO₂, VOCs, and NH₃. On December 8, 2014 (79 FR 72552).³

The EPA approved as SIP revisions, the 10-year maintenance plans for the 1997 annual PM_{2.5} NAAQS, the 2006 24-hour PM_{2.5} NAAQS, and the 2007 emissions inventory for both standards to meet the emissions inventory requirement of section 172(c)(3) of the CAA. Additionally, the EPA approved the 2017 and 2025 PM_{2.5} and NO_x budgets for the Harrisburg-York Area for the 1997 annual and the 2006 24-hour PM_{2.5} NAAQS for transportation conformity purposes.

II. The Second 10-Year Maintenance Plan Submittal and Procedural Requirements

CAA section 175A(b) requires states to submit a SIP revision to maintain the NAAQS for an additional ten years after the expiration of the 10-year period covered by the initial maintenance plan. The submittal is due 8 years after the original redesignation request and maintenance plan was approved. The deadline to submit the SIP revision for the Harrisburg-York Area for the 2006 24-hour PM_{2.5} NAAQS was December 8, 2022. On February 7, 2025 the PADEP submitted the Second Maintenance Plan to meet the requirement for a subsequent maintenance plan under CAA section 175A(b). The Second 10-Year Maintenance Plan is intended to provide for continued maintenance of the 2006 24-hour PM_{2.5} NAAQS for the 10-year period following the end of the first 10-year period through 2036. The EPA revoked the 1997 PM_{2.5} NAAQS on August 24, 2016 (81 FR 58010), therefore a second maintenance plan is not required for the 1997 PM_{2.5} standard (81 FR 58010, 58144).

Section 175A of the CAA provides the general framework for a maintenance plan. The initial 10-year maintenance plan must provide for maintenance of the NAAQS for at least 10 years after redesignation, including any control measures necessary to ensure such maintenance. In addition, maintenance plans are to contain contingency provisions necessary to ensure the prompt correction of a violation of the NAAQS that may occur after

redesignation. The contingency measures must include, at a minimum, a requirement that the State will implement all control measures contained in the nonattainment SIP prior to redesignation. Beyond these provisions, section 175A of the CAA does not define the content of a second 10-year maintenance plan. The primary guidance on maintenance plans and redesignation requests is the September 4, 1992 memorandum from John Calcagni, titled "Procedures for Processing Requests to Redesignate Areas to Attainment" (Calcagni Memo).⁴ The Calcagni Memo outlines the key elements of a maintenance plan, which include the following: attainment emissions inventory, maintenance demonstration, monitoring network requirements, verification of continued attainment, and contingency plan elements. The EPA evaluated the Second 10-Year Maintenance Plan based on the satisfactory fulfillment of these and all relevant procedural requirements of the CAA.

III. Evaluation of the Second 10-Year Maintenance Plan

A. Emissions Inventory

A maintenance plan for the PM_{2.5} 2006 NAAQS should include a comprehensive, accurate, and current emissions inventory of all sources of relevant pollutants in the area, to identify a level of emissions sufficient to attain the PM_{2.5} NAAQS. The inventory should include emissions from stationary point sources, area sources, and mobile sources.⁵ This emissions inventory should be consistent with the EPA's most recent guidance available at the time and should represent emissions during the time period associated with the monitoring data showing attainment, in this case 2011–2023. Design values for the monitors in the Harrisburg-York Area this period are reported in table 1 in this document, showing attainment of the 2006 PM_{2.5} 24-hour standard of 35 µg/m³.⁶ during the first 10 year maintenance period.

⁴ Memorandum dated September 4, 1992, from John Calcagni, Director, Air Quality Management Division, EPA, to Regional Office Air Division Directors, Subject: "Procedures for Processing Requests to Redesignate Areas to Attainment."

⁵ CAA section 172(c)(3).

⁶ Design values are calculated by computing the three-year average of the annual 98th percentile daily maximum 1-hour average concentrations.

³ Due to errors the in the tables published in the Federal Register at 40 CFR part 81 for Pennsylvania's 1997 annual and 2006 24-hour PM_{2.5} NAAQS, two subsequent corrections were made on February 11, 2015 (80 FR 7540) and April 28, 2015 (80 FR 23449).

TABLE 1—HARRISBURG-YORK AREA PM_{2.5} DESIGN VALUES 2011–2023

	Monitor site	Cumberland county	Dauphin county	Lebanon county *	York county
	AQS site Monitor ID	420410101	420430401	420750100/ 420750101	421330008
2011 Design Value (µg/m ³)	2009–2011	31	32	NA	28
2012 Design Value (µg/m ³)	2010–2012	30	31	NA	29
2013 Design Value (µg/m ³)	2011–2013	32	31	NA	29
2014 Design Value (µg/m ³)	2012–2014	31	* 31	34	28
2015 Design Value (µg/m ³)	2013–2015	31	* 32	34	28
2016 Design Value (µg/m ³)	2014–2016	27	28	31	24
2017 Design Value (µg/m ³)	2015–2017	25	26	30	23
2018 Design Value (µg/m ³)	2016–2018	24	23	26	21
2019 Design Value (µg/m ³)	2017–2019	25	23	26	21
2020 Design Value (µg/m ³)	2018–2020	25	25	NA	22
2021 Design Value (µg/m ³)	2019–2021	24	27	NA	24
2022 Design Value (µg/m ³)	2020–2022	21	27	NA	24
2023 Design Value (µg/m ³)	2021–2023	23	28	24	28

* Lebanon County design values prior to the 2012–2014 period are comprised of less than three years of data as the monitor began operating in 2011, additionally the 2020, 2021, and 2022 Design Values were incomplete due to incomplete data in 2020.

The specific emissions inventory requirements are set forth in the Air Emissions Reporting Requirements (AERR) rule.⁷ The EPA has provided additional guidance for developing emissions inventories in “Emissions Inventory Guidance for Implementation of Ozone and Particulate Matter National Ambient Air Quality Standards (NAAQS) and Regional Haze Requirements” (May 2017).

The 2017 base year inventory includes the pollutants; Primary PM_{2.5} (PM_{2.5} PRI),⁸ PM₁₀ (PM₁₀ PRI),⁹ SO₂, NO_x, VOC, and NH₃ and consists of sources in four sectors: Point Sources, Area Sources, Onroad Sources, and Nonroad Sources. The PADEP submitted a base year inventory for 2017, which is one of the years in the previous 10-year maintenance period during which the Harrisburg-York Area showed continued monitored attainment of the 2006 24-hour PM_{2.5} NAAQS. The PADEP reported that the base year inventory for 2017 derived from the EPA’s National Emissions Inventory¹⁰ and is comprised of the previously noted primary and secondary pollutants from: (1) point sources, (2) nonpoint sources, (3) onroad mobile sources, and (4) nonroad mobile sources. The PADEP selected the

inventory years to include the base year emissions inventory (2017), an interim year inventory (2028), and an inventory year for the end of the second maintenance period (2036). Projected emissions inventories for future years must account for, among other factors, the ongoing effects of economic growth and adopted emissions control requirements, and the inventories are expected to be the best available representation of future emissions. The Second 10-Year Maintenance Plan includes emissions estimates from all the relevant stationary point, area, and mobile source categories. The PADEP used projection inventories to show that the Harrisburg-York area will remain in attainment and developed projection inventories for an interim year of 2028 and a maintenance plan end year of 2036 to show that future emissions of NO_x, SO₂, VOC, NH₃, and PM_{2.5} will remain at or below the attainment year 2007 emissions levels throughout the Harrisburg-York Area through the year 2036.

Inventories projected from the 2017 base year inventory demonstrate that the area will continue to remain in attainment during the maintenance period. Pennsylvania developed 2028 and 2036 emission projections for the

interim and maintenance plan end year, respectively. Projected emissions for these years as well as the base year inventory are available in table 2 in this document. Projected emissions for point and area sources were estimated from the 2017 base year emissions and growth factors developed by the Mid-Atlantic Regional Air Management Association, Inc., and other sources. These growth factors are developed based on forecasts from various databases and tools, including the Energy Information Administration’s Annual Energy Outlook 2022, Pennsylvania Industry Employment 2018–2028 Long-Term Projections, National Inventory Collaborative 2016v1 Emissions Modeling Platform, and the Federal Aviation Administration’s Terminal Area Forecast. Projected emissions were subject to the same corrections utilized in the 2017 base year inventory for consistency.

The direct PM_{2.5} PRI, PM₁₀ PRI, SO₂, NO_x, VOC, and NH₃ emissions for the base year emissions inventory are presented within table 2 of this document. By 2036, total annual PM_{2.5} PRI are estimated to be approximately 365 tons (4.85%) lower than the 2017 base year inventory.

TABLE 2—HARRISBURG-YORK AREA EMISSIONS BY SOURCE SECTOR

[Tons per year]

	Sector	2007	2017	2028
PM _{2.5} :				
Point	3,046	1,327.89	1,184.04	1,183.14
Nonroad	548	293.11	174.83	148.11
Nonpoint	5,453	6,101.99	6,198.15	6,282.26

⁷ 40 CFR part 51, subpart A.⁸ PM_{2.5} PRI = PM_{2.5} FIL + PM CON.⁹ PM₁₀ PRI = PM₁₀ Filterable (PM₁₀ FIL) + PM Condensable (PM CON).¹⁰ www.epa.gov/air-emissions-inventories/national-emissions-inventory-nei.

TABLE 2—HARRISBURG-YORK AREA EMISSIONS BY SOURCE SECTOR—Continued
[Tons per year]

	Sector	2007	2017	2028
Onroad	1,224	411.6	184.38	155.87
PM ₁₀ : Totals	10,271	8,134.59	7,741.40	7,769.38
Point	4,815	1,608.13	1,451.43	1,457.04
Nonroad	583	308.1	185.98	158.42
Nonpoint	17,037	18,118.64	18,423.17	18,735.62
Onroad	1,443	751	593.69	604.33
SO ₂ : Totals	23,879	20,785.87	20,654.27	20,955.41
Point	117,709	4,348.41	2,370.77	2,330.31
Nonroad	323	4.76	3	3.18
Nonpoint	4,900	418.35	354.36	341.19
Onroad	253	89.3	32.77	31.84
NO _x : Totals	123,185	4,860.82	2,760.91	2,706.52
Point	26,950	10,676.10	8,360.79	8,213.90
Nonroad	7,103	2,869.83	1,714.98	1,537.47
Nonpoint	3,874	4,801.31	3,769.67	3,704.77
Onroad	35,878	14,720.10	5,936.36	4,619.38
VOC: Totals	73,805	33,067.25	19,781.79	18,075.52
Point	2,160	1,917.32	1,893.60	1,882.61
Nonroad	6,322	2,541.67	2,109.09	2,083.80
Nonpoint	14,724	28,222.09	19,417.14	19,681.25
Onroad	13,030	4,982.20	2,523.61	2,080.90
NH ₃ : Totals	36,236	37,663.28	25,943.45	25,728.56
Point	97	214.44	171.76	161.08
Nonroad	6	5.86	6.52	6.91
Nonpoint	10,250	7,446.08	7,804.70	7,421.21
Onroad	508	379.8	331.47	342.73
Totals	10,862	8,046.18	8,314.46	7,931.93

Source: Second 10-Year Maintenance Plan, Tables II–1, II–2, II–11, and II–13.

Based on the EPA's review of the Second 10-Year Maintenance Plan the emissions inventories are comprehensive in that they include estimates of PM_{2.5} and its precursors from all the relevant source categories, which the Plan divides among stationary, areawide, on-road motor vehicles, and other mobile sources. The EPA considers the selection of the 2017 base year inventory to be appropriate given that it was the most recent emissions inventory associated with the reporting schedule required under the AERR rule at the time of Plan drafting and because it represents attainment conditions. The EPA has reviewed the documentation provided by the PADEP and found the 2017 emissions inventory acceptable for meeting the requirements under CAA section 172(c)(3). For more information on the emissions inventory submitted by the PADEP for the Harrisburg-York Area and the EPA's analysis of the emissions inventory, see Appendices A, B, C, and D of the

PADEP submittal and the emissions inventory technical support documents (TSDs) dated February 4, 2025, and can be found within the docket for this rulemaking.

B. Maintenance Demonstration

Section 175A(a) of the CAA requires that the maintenance plan provide for maintenance of the NAAQS for such air pollutant in the area concerned for at least 10 years after the redesignation. A state may generally demonstrate maintenance of the NAAQS by either showing that future emissions of a pollutant or its precursors will not exceed the level of the attainment inventory, or by conducting modeling that shows that the future mix of sources and emissions rates will not cause a violation of the NAAQS.¹¹ The PADEP used projection inventories to show that the Harrisburg-York area will remain in attainment and developed

projection inventories for an interim year of 2028 and a maintenance plan end year of 2036 to show that future emissions of NO_x, SO₂, VOC, NH₃, PM₁₀, and PM_{2.5} will remain at or below the attainment year 2007 emissions levels, and the Second 10-Year Maintenance Plan 2017 base year inventory throughout the Harrisburg-York Area through the year 2036. The PADEP ensures continued maintenance of the 2006 PM_{2.5} NAAQS in its Second 10-Year Maintenance Plan with the previously discussed projection inventories through State and Federal programs of permanent and enforceable control measures previously approved in the SIP and discussed in detail in the October 17, 2014 approval of the 10-year maintenance plan for the 2006 24-hour PM_{2.5} NAAQS (79 FR 62389).

Given that the emissions inventory projections show continued attainment through 2036 the EPA is proposing to find that the Second 10-Year Maintenance Plan provides an adequate

¹¹ Calcagni Memo, p. 9–11.

basis to demonstrate maintenance of the 2006 PM_{2.5} NAAQS within the Harrisburg-York Area. The EPA also proposes to find that by providing projected emissions through 2036, the Plan demonstrates maintenance of the 2006 PM_{2.5} NAAQS for more than 10 years after the expiration of the first 10-year maintenance plan (*i.e.*, 2025), in accordance with section 175A(b) of the CAA.

C. Monitoring Network Requirements

Pennsylvania's maintenance plan includes a commitment to continue to operate its EPA-approved monitoring network, as necessary to demonstrate ongoing compliance with the NAAQS. Pennsylvania currently operates a PM_{2.5} monitor in each of the counties in the Harrisburg-York Area, namely Cumberland, Dauphin, and Lebanon Counties. In its February 7, 2025 submittal, Pennsylvania stated that it will consult with the EPA prior to making any necessary changes to the network and will continue to quality assure the monitoring data in accordance with the requirements of 40 CFR part 58.

D. Verification of Continued Attainment

To provide for tracking of the emission levels in the Harrisburg-York Area, PADEP requires major point sources to submit air emissions information annually and prepares a new periodic inventory for all PM_{2.5} precursors every three years in accordance with the EPA's Air Emissions Reporting Requirements. Emissions information will be compared to the attainment year inventory (2007) to assure continued attainment with the 2006 24-hour PM_{2.5} NAAQS and will be used to assess emissions trends, as necessary. Also, as noted in the previous subsection, PADEP will continue to operate its monitoring system in accordance with 40 CFR part 58 and remains obligated to quality-assure monitoring data and enter all data into the AQS in accordance with Federal requirements. PADEP will use this data, supplemented with additional data, as necessary, to assure continuing attainment in the Harrisburg-York Area.

E. Contingency Measures

The contingency plan provisions are designed to promptly correct a violation of the 2006 PM_{2.5} NAAQS that occurs in the Areas after redesignation. Section 175A of the CAA requires that a maintenance plan include such contingency measures as the EPA deems necessary to ensure that a state will promptly correct a violation of the NAAQS that occurs after redesignation.

The maintenance plan should identify the events that would "trigger" the adoption and implementation of a contingency measure(s), the contingency measure(s) that would be adopted and implemented, and the schedule indicating the time frame by which the state would adopt and implement the measure(s).

Pennsylvania's maintenance plans describe the procedures for the adoption and implementation of contingency measures to reduce emissions should a violation occur. Pennsylvania's contingency measures include a first level response and a second level response. A first level response is triggered for when the annual mean PM_{2.5} concentration exceeds 15.5 mg/m³ in a single calendar year within the Area, or if the periodic emissions inventory for the Area exceeds the attainment year inventory by more than ten percent. The first level response will consist of a study to determine if the emissions trends show increasing concentrations of PM_{2.5}, and whether this trend is likely to continue. If it is determined through the study that action is necessary to reverse a trend of emissions increases, Pennsylvania will, as expeditiously as possible, implement necessary and appropriate control measures to reverse the trend.

A second level response will be prompted if the two-year average of the annual mean concentration exceeds 15.0 mg/m³ within the Area. This would trigger an evaluation of the conditions causing the exceedance, whether additional emission control measures should be implemented to prevent a violation of the standard, and analysis of potential measures that could be implemented to prevent a violation. Pennsylvania would then begin its adoption process to implement the measures as expeditiously as practicable.

Pennsylvania's candidate contingency measures include the following: (1) a regulation based on the Ozone Transport Commission (OTC) Model Rule to update requirements for consumer products; (2) a regulation based on the Control Techniques Guidelines (CTG) for industrial cleaning solvents; (3) voluntary diesel projects such as diesel retrofit for public or private local onroad or offroad fleets, idling reduction technology for Class 2 yard locomotives, and idling reduction technologies or strategies for truck stops, warehouses, and other freight-handling facilities; (4) promotion of accelerated turnover of lawn and garden equipment, focusing on commercial equipment; and (5) promotion of alternative fuels for fleets, home heating

and agricultural use. Pennsylvania's rulemaking process and schedule for adoption and implementation of any necessary contingency measure is shown in the SIP submittals as being 18 months from PADEP's approval to initiate rulemaking. For all the reasons discussed in this section, EPA is proposing to approve Pennsylvania's 2006 PM_{2.5} Second 10-year maintenance plan for the Harrisburg-York Area as meeting the requirements of section 175A of the CAA.

F. Motor Vehicle Emissions Budgets for Transportation Conformity

Section 176(c) of the CAA requires Federal actions in nonattainment and maintenance areas to "conform to" the goals of SIPs. This means that such actions will not cause or contribute to violations of a NAAQS, worsen the severity of an existing violation, or delay timely attainment of any NAAQS or any interim milestone. Actions involving Federal Highway Administration (FHWA), or Federal Transit Administration (FTA) funding or approval are subject to the transportation conformity rule (40 CFR part 93, subpart A). Under this rulemaking, metropolitan planning organizations (MPOs) in nonattainment and maintenance areas coordinate with state air quality and transportation agencies, the EPA, and the FHWA and FTA to demonstrate that their long-range transportation plans and transportation improvement programs (TIP) conform to applicable SIPs. This is typically determined by showing that estimated emissions from existing and planned highway and transit systems are less than or equal to the budgets contained in the SIP. On February 7, 2025, Pennsylvania submitted SIP revisions that contain the 2028 and 2036 PM_{2.5} and NO_x onroad mobile source budgets for Cumberland, Dauphin, Lebanon, and York Counties, Pennsylvania.

Pennsylvania did not provide emission budgets for SO₂, VOC, and NH₃ because it concluded, consistent with the presumptions regarding these precursors in the Transportation Conformity Rule at 40 CFR 93.102(b)(2)(v), which predated and were not disturbed by the litigation on the 1997 PM_{2.5} Implementation Rule, that emissions of these precursors from motor vehicles are not significant contributors to the Area's PM_{2.5} air quality problem. The EPA issued conformity regulations to implement the 1997 annual PM_{2.5} NAAQS in July 2004 and May 2005 (69 FR 40004, July 1, 2004 and 70 FR 24280, May 6, 2005). Those actions were not part of the final

rule remanded to EPA by the D.C. Circuit Court in *NRDC v. EPA*, No. 08–1250 (January 4, 2013), in which the D.C. Circuit Court remanded to the EPA the 1997 PM_{2.5} Implementation Rule

because it concluded that the EPA must implement that NAAQS pursuant to the PM-specific implementation provisions of subpart 4, rather than solely under the general provisions of subpart 1. That

decision does not affect the EPA's proposed approval of the budgets for the Harrisburg-York Area. The 2028 and 2036 budgets in tons per year are presented in table 3 in this document.

TABLE 3—MOTOR VEHICLE EMISSION BUDGETS

[Tons per year]

County by MPO	Cumberland and Dauphin		Lebanon		York	
Pollutant (tons per year)	PM _{2.5}	NO _x	PM _{2.5}	NO _x	PM _{2.5}	NO _x
2017 (base year)	231	8,290	57	2,010	124	4,420
2028 Predicted	99	3,335	23	797	62	1,804
Safety Margin	25	834	6	199	19	541
2028 Budget	124	4,169	29	996	80	2,346
2036 Predicted	83	2,594	20	648	53	1,377
Safety Margin	21	649	5	162	16	413
2036 Budget	104	3,243	25	810	69	1,791

MPO = Metropolitan Planning Organization.

A safety margin is defined in 40 CFR 93.101 as “the amount by which the total projected emissions from all sources of a given pollutant are less than the total emissions that would satisfy the applicable requirement for reasonable further progress, attainment, or maintenance.” As shown in Table 3 above, the State has explicitly quantified a safety margin for PM_{2.5} and NO_x, for the Cumberland and Dauphin, Lebanon, and York Counties of the Harrisburg-Lebanon-Carlisle and York area for the years where budgets are established. The State determined the available safety margin by subtracting the total emissions of PM_{2.5} in the last year of the maintenance plan, 2036, from the total emissions of PM_{2.5} in the 2017 base year for the maintenance plan which is consistent with 40 CFR 93.124(a)(3). This calculation was repeated for NO_x. As noted in Table 3, the emissions in the Cumberland and Dauphin County area are projected to have safety margins of 21 tons per year (tpy) of PM_{2.5} and 649 tpy of NO_x in 2036, Lebanon County was reported to have safety margins of 5 tpy of PM_{2.5} and 162 tpy of NO_x in 2036, and York County was reported with a safety margin of 16 tpy of PM_{2.5} and 413 tpy of NO_x in 2036.

The EPA's substantive criteria for determining adequacy of budgets are set out in 40 CFR 93.118(e)(4). Additionally, to approve the budgets, the EPA must complete a thorough review of the SIP, in this case the PM_{2.5} maintenance plan, and conclude that with the projected level of motor vehicle and all other emissions, the SIP will achieve its overall purpose, in this case providing for maintenance of the 2006 PM_{2.5} NAAQS. The EPA's process for determining adequacy of a budget

consists of three basic steps: (1) providing public notification of a SIP submission; (2) providing the public the opportunity to comment on the budget during a public comment period; and (3) EPA taking action on the budget.

In this proposed rulemaking, EPA is initiating the process for determining whether or not the budgets are adequate for transportation conformity purposes. The publication of this document starts a 30-day public comment period on the adequacy of the submitted budgets. This comment period is concurrent with the comment period on this proposed action and comments should be submitted to the docket for this rulemaking. The EPA may choose to make its determination on the adequacy of the budgets either in the final rule on this maintenance plan or notify Pennsylvania of the determination in writing, and publish in both the **Federal Register** and on the EPA website.

The EPA has reviewed the budgets and found them consistent with the maintenance plan and that the budgets meet the criteria for adequacy and approval. Therefore, EPA is proposing to approve the 2028 and 2036 PM_{2.5} and NO_x budgets for Cumberland, Dauphin, Lebanon, and York Counties for transportation conformity purposes. Additional information pertaining to the review of the motor vehicle emission budgets can be found in the TSDs can be found within the docket for this rulemaking.

IV. Proposed Action

The EPA is proposing to approve the Second Maintenance Plan for the Harrisburg-York Area for the 2006 PM_{2.5} NAAQS as a revision to the Pennsylvania SIP because the plan meets the requirements of section 175A

of the CAA as described previously in this proposed rulemaking.

In addition, the EPA is proposing to approve the 2017 and 2025 PM_{2.5} and NO_x budgets submitted by Pennsylvania for Cumberland, Dauphin, Lebanon, and York Counties for transportation conformity purposes. EPA is also initiating the process for determining whether the budgets are adequate for transportation conformity purposes. EPA is soliciting public comments on the issues discussed in this document. These comments will be considered before taking final action.

V. 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 Clean Air 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 Clean Air Act. Accordingly, this proposed 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 Clean Air Act.

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).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Particulate matter, Reporting and recordkeeping requirements.

Amy Van Blarcom-Lackey,

Regional Administrator, Region III.

[FR Doc. 2026–14902 Filed 7–22–26; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 721

[EPA–HQ–OPPT–2026–2014; FRL–13416–01–OCSPP]

RIN 2070–AB27

Significant New Use Rules on Certain Chemical Substances (26–3)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing significant new use rules (SNURs) under the Toxic Substances Control Act (TSCA) for certain chemical substances that were

the subject of premanufacture notices (PMNs) and are also subject to an Order issued by EPA pursuant to TSCA. Once finalized, the SNURs would require persons who intend to manufacture (defined by statute to include import) or process any of these chemical substances for an activity that is proposed as a significant new use by this rulemaking to notify EPA at least 90 days before commencing that activity. The required notification initiates EPA's evaluation of the conditions of that use for that chemical substance. In addition, the manufacture or processing for the significant new use may not commence until EPA has conducted a review of the required notification, made an appropriate determination regarding that notification, and taken such actions as required by that determination.

DATES: Comments must be received on or before August 24, 2026.

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA–HQ–OPPT–2026–2014, online at <https://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Additional instructions on commenting and visiting the docket, along with more information about dockets generally, is available at <https://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT:

For technical information: Diashinae Cato, New Chemicals Division (7405M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (202) 566–0631; email address: cato.diashinae@epa.gov.

For general information on SNURs: Iliriana Mushkolaj, New Chemicals Division (7405M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (202) 564–6877; email address: Mushkolaj.Iliriana@epa.gov.

For general information on TSCA: The TSCA Assistance Information Service Hotline, Goodwill of the Finger Lakes, 422 South Clinton Ave., Rochester, NY 14620–1198; telephone number: (800) 471–7127 or (202) 554–1404; email address: TSCA-Hotline@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Executive Summary

A. What is the Agency's authority for taking this action?

TSCA section 5(a)(2) (15 U.S.C. 2604(a)(2)) authorizes EPA to determine that a use of a chemical substance is a “significant new use.” EPA must make this determination by rule after considering all relevant factors, including the factors in TSCA section 5(a)(2) (see also the discussion in Unit II.).

B. What action is the Agency taking?

EPA is proposing SNURs for the chemical substances discussed in Unit III. These SNURs, if finalized as proposed, would require persons who intend to manufacture or process any of these chemical substances for an activity that is designated as a significant new use to notify EPA at least 90 days before commencing that activity.

C. Does this action apply to me?

1. General Applicability

This action applies to you if you manufacture, process, or use the chemical substances contained in this proposed rule. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Manufacturers or processors of one or more subject chemical substances (NAICS codes 325 and 324110), *e.g.*, chemical manufacturing and petroleum refineries.

2. Applicability to Importers and Exporters

This action may also apply to certain entities through pre-existing import certification and export notification requirements under TSCA (<https://www.epa.gov/tsc-import-export-requirements>).

Chemical importers are subject to TSCA section 13 (15 U.S.C. 2612), the requirements in 19 CFR 12.118 through 12.127, 19 CFR 127.28, and 40 CFR 707.20. Importers of chemical substances in bulk form, as part of a mixture, or as part of an article (if required by rule) must certify that the shipment of the chemical substance complies with all applicable rules and orders under TSCA, including regulations issued under TSCA sections 5, 6, 7 and Title IV.

Pursuant to 40 CFR 721.20, any persons who export or intend to export a chemical substance that is the subject