

Regulations (CFR) 60.23(b), 60.23a(b) and 62.06.

The Emissions Guidelines and Compliance Times for Large Municipal Waste Combustors That are Constructed on or Before January 23, 2024, as codified at 40 CFR part 60 subpart WWWW (subpart WWWW) apply to States with existing LMWCs. The existing LMWCs to which the emission guidelines and compliance times apply is listed at 40 CFR 60.6300.

II. Summary of Action and EPA Analysis

ACHD submitted a negative declaration to the EPA on March 25, 2026, certifying that there are no existing large municipal waste combustors in its jurisdiction that are subject to the requirements of 40 CFR part 60 subpart WWWW. For additional background information on ACHD's negative declaration, see the documents that are available at *Regulations.gov*, Docket ID No. EPA-R03-OAR-2026-4027.

III. Proposed Action

The EPA is proposing to amend 40 CFR part 62 to reflect EPA's receipt of ACHD's negative declaration for LMWC. The negative declaration satisfies the requirements of 40 CFR 60.23(b), 60.23a(b) and 62.06, serving in lieu of a CAA section 111(d)/129 plan for existing large municipal waste combustors. The EPA is soliciting public comments on the issues discussed in this document. These comments will be considered before taking final action.

IV. Statutory and Executive Order Reviews

Under the CAA, the EPA has the authority to approve a 129/111(d) negative declaration in lieu of a State plan that complies with the provisions of the CAA and applicable Federal regulations. See 40 CFR 62.06. In reviewing CAA section 129/111(d) negative declaration letters, EPA's role is to approve State choices, provided that they meet the criteria of the CAA and of EPA's implementing regulations. Accordingly, this action merely notifies the public of the EPA's receipt of ACHD's negative declaration for LMWC and does not impose additional requirements. For that reason, the EPA concludes the following.

A. Executive Order 12866: Regulatory Planning and Review and Executive Order 13563: Improving Regulation and Regulatory Review

This action is not a significant regulatory action and was therefore not

submitted to the Office of Management and Budget (OMB) for review.

B. Executive Order 14192: Unleashing Prosperity Through Deregulation

This action is not expected to be an Executive Order 14192 regulatory action because this action is not significant under Executive Order 12866.

C. Paperwork Reduction Act (PRA)

This action does not impose an information collection burden under the PRA (44 U.S.C. 3501 *et seq.*) because it does not contain any information collection activities.

D. Regulatory Flexibility Act (RFA)

This action 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.*).

E. Unfunded Mandates Reform Act (UMRA)

This action does not contain any unfunded mandate, as described in the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) and does not significantly or uniquely affect small governments.

F. Executive Order 13132: Federalism

This action does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999) because it will not have substantial direct effects on the states, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

G. Executive Order 13045: Protection of Children From Environmental Health Risks and Safety Risks

Executive Order 13045 directs Federal agencies to include an evaluation of the health and safety effects of the planned regulation on children in Federal health and safety standards and explain why the regulation is preferable to potentially effective and reasonably feasible alternatives. This action is not subject to Executive Order 13045 because it is not a significant regulatory action under section 3(f)(1) of Executive Order 12866, and because the EPA does not believe the environmental health or safety risks addressed by this action present a disproportionate risk to children.

H. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution or Use

This action is not subject to Executive Order 13211, because it is not a significant regulatory action under Executive Order 12866.

I. National Technology Transfer and Advancement Act (NTTAA)

This rulemaking does not involve technical standards. This action is not subject to the 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.

J. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

This action does not have tribal implications as specified in Executive Order 13175. Thus, Executive Order 13175 does not apply to this action.

List of Subjects in 40 CFR Part 62

Environmental protection, Administrative practice and procedure, Air pollution control, Carbon monoxide, Intergovernmental relations, Lead, Nitrogen dioxide, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Waste treatment and disposal.

Amy Van Blarcom-Lackey,

Regional Administrator, Region III.

[FR Doc. 2026–17497 Filed 8–26–26; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 62

[EPA–R02–OAR–2026–2741; FRL–13326–01–R2]

Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants; Puerto Rico; Negative Declaration for the Oil and Gas Industry

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: Pursuant to the Clean Air Act, the Environmental Protection Agency is proposing to approve a negative declaration for oil and natural gas facilities within the Commonwealth of Puerto Rico. This negative declaration formally certifies that there are no existing crude oil or natural gas

facilities in the jurisdiction of Puerto Rico that must comply with the Emission Guidelines for Greenhouse Gas Emissions from Existing Crude Oil and Natural Gas Facilities.

DATES: Written comments must be received on or before September 28, 2026.

ADDRESSES: Submit your comments, identified by Docket No. EPA–R02–OAR–2026–2741, at <https://www.regulations.gov>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. 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 Blythe Reder by telephone at (212)–637–3678, or by email at redr.blythe@epa.gov. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>. **Docket:** The index to the docket for this action is available electronically at <http://www.regulations.gov>. While all documents in the docket are listed in the index, some information may not be publicly available due to docket file size restrictions or content (e.g., CBI).

FOR FURTHER INFORMATION CONTACT: Blythe Reder, EPA Region 2 Office, Air and Radiation Division—Air Planning Branch; telephone number: (212)–637–3678; email address: redr.blythe@epa.gov. We encourage the public to submit comments via <https://www.regulations.gov>. Please call or email the contact listed above if you need alternative access to material indexed but not provided in the docket.

SUPPLEMENTARY INFORMATION: Throughout this proposed rule, the use of “we,” “us,” or “our” is intended to refer to the EPA. We use multiple abbreviations and terms in this proposed rule. While this list may not be exhaustive, for ease of reading and for reference purposes, the EPA defines the following terms and acronyms here:

CAA, Clean Air Act; CBI, Confidential Business Information; CFR, Code of Federal Regulations; EPA, Environmental Protection Agency; FR, **Federal Register**; GHG, Greenhouse Gas.

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I. Executive Summary

A. What action is the EPA taking?

The EPA is proposing to amend 40 CFR part 62 to formally reflect the receipt and approval of Puerto Rico’s negative declaration regarding existing crude oil and natural gas facilities subject to the Emission Guidelines for Greenhouse Gas Emissions from Existing Crude Oil and Natural Gas Facilities codified under 40 CFR part 60, subpart OOOOc.

B. What is the legal authority and what are the requirements?

Pursuant to section 111(d) of the Clean Air Act and 40 CFR part 60, subpart OOOOc, State regulatory agencies are required to submit implementation plans establishing methane emission standards for existing crude oil and natural gas facilities. Jurisdictions failing to submit an approvable plan will be subject to a Federal implementation plan, while States and territories lacking any such designated facilities are permitted to satisfy these mandates by submitting a formal negative declaration.

II. Background

The Clean Air Act (CAA) requires State regulatory agencies to implement Federal emission guidelines and associated compliance schedules through a State plan developed under CAA section 111(d). Section 111(d) of the CAA requires the establishment of performance standards for specific existing stationary sources. The air pollutants regulated under this section are restricted to those not already designated as criteria air pollutants under 42 U.S.C. 7408(a) or hazardous air pollutants under 42 U.S.C. 7412. Pursuant to this statutory mandate, on March 8, 2024, the U.S. Environmental Protection Agency (EPA) codified 40 CFR part 60, subpart OOOOc, which requires State and territorial agencies to implement emission guidelines and compliance timelines controlling

greenhouse gas (GHG) emissions within the crude oil and natural gas source category (See 89 FR 17140, March 8, 2024). The targeted GHG emissions under subpart OOOOc consist of methane emissions from designated facilities that commenced construction, modification, or reconstruction on or before December 6, 2022, as specified in 40 CFR 60.5362c.

Section 111(d)(1) of the CAA mandates that States submit a formal plan to the EPA for review and approval that establishes, implements, and enforces these standards of performance. If a jurisdiction fails to submit an approvable State-specific plan, the EPA is required to prescribe an overarching Federal implementation plan. However, if a State or Territory contains no designated facilities within a regulated source category, it must submit a formal negative declaration in lieu of a State Plan; the negative declaration relevant to this action is governed by the procedural requirements of 40 CFR 60.23a(b), 62.06, and 60.5362c(b). In accordance with this regulatory framework, the Commonwealth of Puerto Rico has submitted a formal negative declaration in lieu of a CAA section 111(d) State Plan.

III. Summary of Puerto Rico’s Submittal

The Emissions Guidelines for Greenhouse Gas Emissions from Existing Crude Oil and Natural Gas Facilities, codified under 40 CFR Part 60, subpart OOOOc, apply to jurisdictions containing one or more onshore designated facilities in the crude oil and natural gas source category that are listed under 60.5386c(a) through (h), for which construction, modification, or reconstruction commenced on or before December 6, 2022.

On March 26, 2025, the Commonwealth of Puerto Rico submitted a formal negative declaration to the EPA certifying that the Commonwealth does not contain any existing crude oil and natural gas facilities subject to subpart OOOOc within its jurisdiction.

IV. The EPA’s Evaluation of Puerto Rico’s Submittal

The EPA is proposing to amend 40 CFR part 62 to formally reflect the receipt and approval of Puerto Rico’s negative declaration regarding existing crude oil and natural gas facilities. In accordance with these regulations, the EPA proposes to find that the submission serves in lieu of a Clean Air Act (CAA) section 111(d) State Plan for

the designated crude oil and natural gas source category. Pursuant to the administrative procedures of part 62, the EPA is soliciting public comment on the regulatory interpretations and facility analyses discussed in this proposed action. All submitted comments will be reviewed and evaluated prior to the agency executing a final rule amending 40 CFR part 62, subpart BBB—Puerto Rico.

V. Statutory and Executive Order Reviews

Under the CAA, the EPA is required to approve a CAA section 129/111(d) submission that complies with the provisions of the Act and applicable Federal regulations (*See* 42 U.S.C. 7411(d); 42 U.S.C. 7429; and 40 CFR part 62, subpart A). In reviewing CAA section 129/111(d) submissions, EPA's role is to approve State choices, provided that they meet the criteria of the CAA and its implementing regulations. States are allowed to submit a negative declaration in lieu of a State plan (*See* 40 CFR 60.23a(b), 62.06, and 60.5362c(b)). Accordingly, this proposed action merely notifies the public of the EPA's receipt of Puerto Rico's negative declarations for crude oil and natural gas facilities and proposes to revise 40 CFR part 62, subpart BBB to reflect this. 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, 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 contain any information collection activities and so 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, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4), or significantly or uniquely affect small governments;
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999) because it will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the

distribution of power and responsibilities among the various levels of government;

- Is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a State program, it is not a significant regulatory action under section 3(f)(1) of Executive Order 12866, and because the EPA does not believe the environmental health or safety risks addressed by this action present a disproportionate risk to children;
- Is not a significant regulatory action under Executive Order 12866 and thus is not 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. This action does not involve technical standards.

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 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 62

Environmental protection, Administrative practice and procedure, Air pollution control, Intergovernmental relations, Reporting and recordkeeping requirements.

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

Michael Martucci,

Regional Administrator, Region 2.

[FR Doc. 2026–17495 Filed 8–26–26; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 62

[EPA–R03–OAR–2026–2377; FRL–13383–01–R3]

Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants; City of Philadelphia; Negative Declarations for Existing Commercial and Industrial Solid Waste Incinerators, Large Municipal Waste Incinerators, Small Municipal Waste Incinerators, and Other Solid Waste Incinerators

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve the negative declarations submitted by the Philadelphia Air Management Services (AMS) on January 13, 2026. The negative declarations submitted by AMS certify that there are no existing commercial and industrial solid waste incinerators (CISWI), large municipal waste combustors (LMWC), small municipal waste combustors (SMWC), or other solid waste incinerators (OSWI) subject to the Clean Air Act (CAA) requirements within the jurisdiction of the City of Philadelphia.

DATES: Written comments must be received on or before September 28, 2026.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R03–OAR–2026–2377 at *Regulations.gov*, or via email to *SuppLee.Gwendolyn@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. 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.