Road, VAE–ORP, Sterling VA 20166. Please reference RIN 1082–AA05, ''Oil and Gas and Sulfur Operations on the Outer Continental Shelf—Revisions to the Requirements for Exploratory Drilling on the Arctic Outer Continental Shelf,'' in your comments, and include your name and return address.

- *Email: regs@bsee.gov.*
- *Public Availability of Comments:*

Please be aware that MMA's practice is to make comments, including the names and addresses of individuals, available for public inspection. Before including your address, phone number, email address, and any personally identifiable information in your comment, please be advised that your entire comment, including your personally identifiable information, may be made publicly available at any time. For the Agency to consider withholding from disclosure your personally identifiable information, you must identify, in a cover letter, any information contained in your comments that, if released, would constitute a clearly unwarranted invasion of your personal privacy. You must also briefly describe any possible harmful consequences of the disclosure of information, such as embarrassment, injury, or other harm.

FOR FURTHER INFORMATION CONTACT: For technical questions related to regulatory changes in Part 250, contact Bobby Kurtz, 805–384–6359. For technical questions related to regulatory changes in Part 550, contact Joel Immaraj, (907) 334–5238. For procedural questions contact Bryce Barlan, Regulations and Standards Branch, *regs@bsee.gov,* (703) 787–1126.

SUPPLEMENTARY INFORMATION: On August 6, 2026, the Department published the Proposed Rule: Oil and Gas and Sulfur Operations in the Outer Continental Shelf—Revisions to the Requirements for Exploratory Drilling on the Arctic Outer Continental Shelf (91 FR 50998) and opened a 60-day public comment period, which closed on October 5, 2026. After publication of the proposed rule, MMA received requests to extend the comment period on the proposed rule. MMA is reopening the original comment period by an additional 30 days to provide additional time for review of and comment on the Notice of Proposed Rulemaking. Accordingly, comments must be submitted by the extended due date of December 14, 2026. MMA may not fully consider comments received after this date. Secretary's Order 3451 established the Marine Minerals Administration (MMA), which replaced BOEM and BSEE, and provided for a transition period during which existing MMA officials retain operational authority necessary for the uninterrupted accomplishment of its mission. That transition period is ongoing. Accordingly, this notice references BOEM, BSEE and MMA but is issued under the authority of the MMA.

Lanny E. Erdos,

Director, Office of Surface Mining, Reclamation, and Enforcement, Exercising Authority of the Assistant Secretary—Land and Minerals Management.

[FR Doc. 2026–23145 Filed 11–12–26; 8:45 am]

BILLING CODE 4310–MR–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R10–OAR–2026–2972; FRL–13338–01–R10]

Air Plan Approval; Oregon Department of Environmental Quality; Emission Standards and Controls for Sources Emitting Gasoline Vapors

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) proposes to approve a revision to the Oregon State Implementation Plan (SIP) submitted by the Oregon Department of Environmental Quality (ODEQ) on December 17, 2025, for the Portland and Salem/Keizer, Oregon 1979 1-hour ozone maintenance areas. The proposed revision updates ODEQ's requirements in the SIP for Stages I and II vapor recovery systems at gasoline dispensing facilities including: decommissioning existing Stage II systems incompatible with onboard refueling vapor recovery systems; allowing removal from service of Stage II vapor recovery equipment compatible with onboard refueling vapor recovery; and removing the requirement for Stage II vapor recovery at new installations. The proposed revisions also include more widespread adoption of Stage I Enhanced Vapor Recovery, Stage I vapor balance, and enhanced conventional nozzles, among other changes. The EPA is proposing to find that ODEQ's demonstration to remove Stage II requirements is consistent with the Clean Air Act and the EPA's guidance.

DATES: Comments must be received on or before December 14, 2026.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R10–OAR–2026–2972 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, 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.*

FOR FURTHER INFORMATION CONTACT: Tess Bloom, EPA Region 10, 1200 Sixth Avenue—Suite 155, Seattle, WA 98101, at phone number (206) 553–6362, or email address *bloom.tess@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document whenever ''we,'' ''us,'' or ''our'' is used, it is intended to refer to the EPA. We use multiple abbreviations and terms in this document. While this list may not be exhaustive, for ease of reading and for reference purposes, the EPA defines the following terms and abbreviations here:

CAA—Clean Air Act
CFR—Code of Federal Regulations
ECO—Enhanced Conventional
EPA—Environmental Protection Agency
EVR—Enhanced Vapor Recovery
GDF—Gasoline Dispensing Facility
ODEQ—Oregon Department of Environmental Quality
ORVR—Onboard Refueling Vapor Recovery
NAAQS—National Ambient Air Quality Standards
SIP—State Implementation Plan

Table of Contents

I. Executive Summary
A. What action is the EPA taking?
B. What is the legal authority and what are the requirements?
II. Background
III. ODEQ's SIP Revision
IV. The EPA's Evaluation of the Revision
V. Incorporation by Reference
VI. Statutory and Executive Order Reviews

I. Executive Summary

A. What action is the EPA taking?

The EPA is proposing that the Oregon SIP submission meets the requirements of the Clean Air Act (CAA or the Act)

and will not interfere with any applicable requirement concerning attainment or reasonable further progress or any other Clean Air Act requirement. Therefore, the EPA is proposing to approve and incorporate by reference Oregon's Division 244 rules, ''Oregon Federal Hazardous Air Pollutant Program'' and Division 216 rules, ''Air Contaminant Discharge Permits'' (State-effective March 25, 2024). This version of the regulations removes from the Oregon SIP the requirement for Stage II vapor recovery systems in ODEQ's jurisdiction and adds additional VOC controls such as the installation of Stage I Enhanced Vapor Recovery (EVR), Stage I Vapor Balance Systems, and/or Enhanced Conventional (ECO) nozzles, as well as other changes since the EPA's last approval as discussed in section III of this document.

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

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.[1]

CAA section 110(l) provides that ''. . . The Administrator shall not approve a revision of a plan if the revision would interfere with any applicable requirement concerning attainment and reasonable further progress (as defined in [CAA section 171]) or any other applicable requirement of [the CAA].'' [2]

II. Background

Under CAA section 109, the EPA establishes National Ambient Air Quality Standards (NAAQS or standards) for certain ''criteria'' air pollutants known to be harmful to human health and the environment, and to conduct periodic reviews of the standards.[3] Upon promulgation of a new or revised NAAQS, the CAA requires the EPA to designate all areas of the U.S. that are violating the NAAQS as ''nonattainment''.[4] All areas designated nonattainment are assigned a classification level.[5] The planning and control requirements as well as the attainment dates for each area are based on that area's classification.

One of the criteria air pollutants is ground-level ozone. Ground-level ozone is typically created by chemical reactions between nitrogen oxides (NOx) and volatile organic compounds (VOCs) in the presence of heat and sunlight. Cars, trucks, buses, engines, industries, power plants and products such as solvents and paints are among the major manmade sources of ozone-forming emissions. Exposure to ozone can harm the respiratory system, aggravate asthma and other lung diseases, and is linked to premature death from respiratory causes.

In 1979, under CAA section 109, the EPA established the primary and secondary National Ambient Air Quality Standards (NAAQS) for ozone at 0.12 parts per million (ppm) averaged over a one-hour period.[6] In 1997, the EPA revised the primary and secondary NAAQS for ozone to set the acceptable level of ozone in the ambient air at 0.08 ppm, averaged over an eight-hour period.[7] In 2008, the EPA further revised the primary and secondary ozone NAAQS to 0.075 ppm, averaged over an eight-hour period.[8] In 2015, the EPA again revised the primary and secondary ozone NAAQS to 0.070 ppm, averaged over an eight-hour period.[9]

Stage II vapor recovery is an air pollution control technology for automobiles and other on-road mobile sources. When an automobile or other vehicle is brought into a gas station to be refueled, the empty portion of the gas tank on the vehicle contains gasoline vapors, which are VOCs. When liquid gasoline is pumped into the partially empty gas tank in the vehicle the vapors are displaced out of the tank as the tank fills with liquid gasoline. Where air pollution control technology is not used, these vapors are emitted into the air. In the atmosphere, these VOCs can, in the presence of sunlight, react with NO_X and VOCs from other sources to form ozone. The Stage II system consists of special nozzles and coaxial hoses at each gas pump that capture vapor from the vehicle's fuel tank and route them to underground or above ground storage tanks during the refueling process.

Onboard refueling vapor recovery (ORVR) is another emission control system that can capture fuel vapors from vehicle gas tanks during refueling. ORVR systems are carbon canisters installed directly on automobiles to capture the fuel vapors displaced from the gasoline tank before they are released to the atmosphere. The fuel vapors captured in the carbon canisters are then combusted in the engine when the automobile is started and operated after refueling.

Stage II vapor recovery systems and vehicle ORVR systems were initially both required by the 1990 Amendments to the CAA, with Stage II requirements applying to certain nonattainment areas. Under CAA section 182(b)(3), ozone nonattainment areas classified as moderate and above were required to adopt Stage II requirements. CAA section 202(a)(6) requires an onboard system of capturing vehicle refueling emissions, commonly referred to as an ORVR system. In 1994, the EPA promulgated ORVR standards.[10] CAA section 202(a)(6) required that the EPA's ORVR standards apply to light-duty vehicles manufactured beginning in the fourth model year after the model year in which the standards were promulgated, and that ORVR systems provide a minimum evaporative emission capture efficiency of 95 percent.[11] ORVR equipment has been phased in for new light duty vehicles (passenger vehicles) beginning with model year 1998 and starting with model year 2001 for light-duty trucks and most heavy-duty gasoline powered vehicles. Since 2006, ORVR has been a required emissions control on nearly all new gasoline-powered highway vehicles having less than 14,000 pounds gross vehicle weight rating. CAA section 202(a)(6) provides discretionary authority to the Administrator, by rule, to revise or waive the application of the Stage II requirements for areas classified as Serious, Severe, or Extreme for ozone, as appropriate, after such time as the Administrator determines that onboard emissions control systems are in widespread use throughout the motor vehicle fleet.

On May 16, 2012, the EPA issued a national rule finding that ORVR systems are in ''widespread use'' and determined that emission reductions from ORVR alone are essentially equal to and will soon surpass the emission reductions achieved by Stage II alone.[12] The EPA noted that each year, non-ORVR-equipped vehicles continue to be replaced with ORVR-equipped vehicles and Stage II and ORVR systems capture the same VOC emissions and thus, are redundant.[13] The EPA also determined that ORVR systems are in widespread use and waived the Stage II requirement for gasoline dispensing facilities (GDFs) if doing so did not interfere with

[1] 42 U.S.C. 7410(k); 40 CFR 52.02(a).

[2] 42 U.S.C. 7410(l).

[3] 40 CFR 51.1318.

[4] CAA section 107(d)(1)(B).

[5] CAA section 181(a)(1). The five classification levels for ozone are Marginal, Moderate, Serious, Severe, and Extreme.

[6] 44 FR 8202 (February 8, 1979).

[7] 62 FR 38856 (July 18, 1997).

[8] 73 FR 16436 (March 27, 2008).

[9] 80 FR 65292 (October 26, 2015).

[10] 59 FR 16262 (April 6, 1994).

[11] Unlike Stage II, which is a requirement only in certain ozone nonattainment areas, ORVR requirements apply to vehicles everywhere.

[12] 77 FR 28772 (May 16, 2012) at page 28772.

[13] *Id.*

attaining or maintaining the ozone standards.[14] The EPA also noted that any State currently implementing Stage II vapor recovery programs may submit SIP revisions that would allow for the phase-out of Stage II vapor recovery systems including a CAA section 110(l) analysis showing that its removal did not interfere with attaining or maintaining the ozone standards.[15]

On August 7, 2012, the EPA issued non-binding guidance to assist States in developing and submitting approvable SIP revisions to remove the Stage II vapor recovery programs. The EPA's ''Guidance on Removing Stage II Gasoline Vapor Control Programs from State Implementation Plans and Assessing Comparable Measures'' (hereafter referred to as the EPA 2012 Guidance) provides both technical and policy recommendations to States and introduces methods and equations that could be used to calculate the emissions consequences of discontinuing Stage II control programs for purposes of demonstrating compliance with specific provisions CAA in sections 110(l) and 193 governing the EPA's approval of SIP revisions.[16]

The Portland/Vancouver area was designated an interstate ozone nonattainment area in 1978. On November 15, 1990, the CAA Amendments of 1990 were enacted.[17] Under CAA section 181(a)(1) of the 1990 CAA, the area was further classified as a ''Marginal'' ozone nonattainment area. This interstate nonattainment area consisted of the southern portion of Clark County, Washington, and portions of Multnomah, Clackamas, and Washington Counties in Oregon. In 1997, the EPA redesignated the Portland/Vancouver area to attainment.[18] The Portland/Vancouver area was designated as ''unclassifiable/attainment'' due to the data showing the area was below subsequent NAAQS updates, including the 1997 eight-hour ozone NAAQS,[19] the 2008 eight-hour ozone NAAQS,[20] and the 2015 eight-hour ozone NAAQS.[21]

The Portland/Vancouver area was not subject to Stage II requirements under the 1990 Clean Air Act Amendments as it was classified as Marginal nonattainment for the 1-hour NAAQS for ozone, rather than Moderate or above. However, ODEQ submitted Stage II regulations for the area to the EPA on August 30, 1996 (at the time of submittal named the Division 22 Rules), which became State-effective on August 14, 1996. This submittal contained Stage II requirements as a SIP-strengthening measure approved concurrently with redesignation of the Portland/Vancouver area to attainment.[22] On December 19, 2011,[23] the EPA approved ODEQ's maintenance plan update for the Portland portion of the Portland/Vancouver area and the Salem/Keizer area that specifically anticipated and modeled widespread use of ORVR and the full decommissioning of Stage II in the modeling demonstration of continued attainment through 2015. The ODEQ maintenance plan update and the modeling demonstration are included in the docket for this action.

III. ODEQ's SIP Revision

On December 17, 2025, ODEQ, as the Governor's designee for revisions to the SIP, submitted the relevant provisions of Oregon's Division 244 rules, ''Oregon Federal Hazardous Air Pollutant Program'' and Division 216 rules, ''Air Contaminant Discharge Permits'' (State effective March 25, 2024) for EPA approval into the Oregon SIP. We note that all GDF rules formerly in Division 242 have been repealed and incorporated into Oregon's Division 244 rules. The changes to Oregon's rules include the replacement of Stage II requirements as a control strategy for ozone in Oregon with updated vapor recovery requirements. Per ODEQ's revision, a GDF must, in place of the Stage II requirement, install Stage I Enhanced Vapor Recovery (EVR), Stage I Vapor Balance Systems, and/or Enhanced Conventional (ECO) nozzles depending on the GDF's geographic location, whether the GDF uses Stage II ORVR-incompatible dispensing equipment, and the GDF's throughput.

Oregon's Division 244 rules in the SIP only apply in Portland-Vancouver, Medford-Ashland, and Salem-Keizer Area Transportation Study air quality management areas and all of Clackamas, Multnomah, and Washington counties. Per Attachment One of ODEQ's SIP submittal, although the State rule changes apply statewide, ODEQ requested that this SIP revision continue to apply to the same areas for which the rules were previously applicable. Rules that ODEQ submitted for SIP approval contain a parenthetical note indicating that they apply only to ''affected sources in the Portland-Vancouver, Medford-Ashland, and Salem-Keizer Area Transportation Study air quality management areas and all of Clackamas, Multnomah, and Washington counties'' (*i.e.,* 340–244–0231, –0232, –0234, –0237, –0238, –0241, –0242, –0243, –0245, –0246, –0247, –0248, –0249, –0250, –0251).

In its SIP submission, Oregon organized their emissions analysis by four scenarios where there will be a change in emissions. These scenarios are listed in Attachment One of the submittal. In Scenario One and Scenario Two, Oregon refers to the tri-county area (Clackamas, Multnomah, and Washington counties), rather than the broader area for which the SIP approval applies, as Stage II controls were previously only required for the tri-county area per OAR 340–242–0520, which was repealed as part of this rulemaking.

The four scenarios, as outlined in Attachment One of the State SIP submission, are as follows:

- *Scenario One:* GDFs must either replace Stage II ORVR-incompatible equipment with Stage I EVR and ECO nozzles or replace Stage II ORVR-incompatible equipment with Stage II compatible equipment. OAR 340–244–0234, –0242, –0243, –0246, –0247, and –0248.
- *Scenario Two:* In the tri-county area, GDFs must install Stage I EVR and ECO nozzles when Stage II compatible equipment is removed. OAR 340–244–0234, –0242, –0243, –0246, –0247, and –0248.
- *Scenario Three:* GDFs with throughput greater than or equal to 1,000,000 gallons per year must install Stage I EVR and ECO nozzles on all dual-point gasoline storage tanks by 2030. Stage II equipment must be decommissioned by 2030 for GDFs of this size as a Stage II vapor recovery systems would not be compatible with ECO nozzles. OAR 340–244–0234, 0243, –0246, –0247, and –0248.
- *Scenario Four:* Statewide, GDFs with throughput greater than or equal to 600,000 gallons per year must install Stage I EVR and ECO nozzles for any new or replaced tanks. GDFs with throughput between 120,000 and 600,000 gallons per year must install Stage I vapor balance systems on any new or replaced tank. OAR 340–244–0234, –0241, –0242, –0246, and –0247.

In the SIP submittal, ODEQ provided a demonstration, discussed in section IV of this document, that VOC emission reductions from the revised controls outweigh the annual emissions impact of removing Stage II requirements.

[14] *Id.,* pages 28776 through 28779.

[15] *Id.*

[16] The EPA 2012 Guidance is available at: *https://www.epa.gov/ground-level-ozone-pollution/ozone-stage-two-vapor-recovery-rule-and-guidance/.*

[17] Public Law 101–549, 104 Stat. 2399, codified at 42 U.S.C. 7401–7671q.

[18] 62 FR 27204 (May 19, 1997).

[19] 69 FR 23857 (April 30, 2004).

[20] 77 FR 30088 (May 21, 2012).

[21] 82 FR 54232 (November 16, 2017).

[22] *See* proposed rulemaking, 62 FR 10501 (March 7, 1997) at page 10507.

[23] 76 FR 78751 (December 19, 2011).

Therefore, ODEQ requested removal of Stage II vapor recovery system requirements in the SIP for ODEQ's jurisdiction.

IV. The EPA's Evaluation of the Revision

The EPA reviewed ODEQ's submittal, including the revised Division 216 and Division 244 regulatory text as well as the accompanying analysis of emissions impacts. Based on this review, we have determined that ODEQ's December 17, 2025 SIP revision will not interfere with attainment or maintenance of any NAAQS. ODEQ's analysis addresses the EPA's Widespread Use for Onboard Refueling Vapor Recovery and Stage II Waiver [24] and is consistent with the EPA's 2012 Guidance.

ODEQ's demonstration was based on an analysis of precursor VOC emissions from removal of Stage II controls at GDFs, as well as emission reduction benefits from other changes to the regulations such as requirements for Stage I Enhanced Vapor Recovery (EVR), Stage I Vapor Balance Systems, and/or Enhanced Conventional (ECO) nozzles. ODEQ estimated emissions impacts using the guidance methodologies from the EPA 2012 Guidance showing an overall benefit to air quality and a reduction of VOC emissions upon full implementation of the rule requirements by 2030. ODEQ estimated the impact on emissions from decommissioning Stage II in its jurisdiction by using the EPA's approved equations from the EPA's 2012 Guidance, to assess compliance with CAA section 110(l). Details regarding ODEQ's calculation methodology and results are included in the docket for this action.

The demonstration indicates that ORVR is incompatible with Stage II vapor control and that there is an emissions increase of retaining Stage II requirements with vehicle fleet turnover and ORVR penetration. The removal of Stage II requirements, in addition to an update to the regulations to accommodate ORVR, provides a net emissions benefit as shown in the demonstration. As discussed in the EPA 2012 Guidance, the EPA has developed equations to assist States in evaluating the emissions consequences of phasing out existing Stage II programs. These equations may be used to calculate an ''increment,'' which identifies the area-wide emission control gained from Stage II installations as ORVR technology phases in. ODEQ estimates that the replacement of Stage II controls with all control scenarios, as detailed in section II of this document, will result in emissions reductions.

The greatest emissions reductions are anticipated for scenario one in which Stage II ORVR-incompatible equipment must be replaced in the tri-county area by 2025, and scenario three, in which Oregon's largest GDFs must have Stage I EVR and ECO nozzles installed by 2030 on all dual-point gasoline storage tanks. Projecting total emissions reduction by 2030, the total emissions reduction of VOCs anticipated for each scenario on a tons per year (tpy) basis is 281.63 tpy for Scenario One, 146.46 tpy for Scenario Two, 375.78 tpy for Scenario Three, and 38.58 tpy for Scenario Four per tables four through six of Attachment One of the SIP submission.

In addition, the EPA expects that market saturation of ORVR-equipped vehicles will remain static or increase in the years after 2023, meaning the air quality benefits of these changes will continue into the future.

Lastly, the removal of Stage II is consistent with the current maintenance plan update for the Portland portion of the Portland/Vancouver ozone area that the EPA approved on December 19, 2011.[25] The associated modeling, included in the docket for this action, anticipated the decommissioning of Stage II in the projection of continued ozone attainment for the 1997 8-hour ozone NAAQS.[26] For the 2008 and 2015 ozone NAAQS, all counties within ODEQ's jurisdiction are designated attainment/unclassifiable. The EPA finds that removal of Stage II vapor recovery systems combined with the additional emissions control requirements in the revised rules would have a neutral to positive impact on ozone levels, and likely $PM_{2.5}$ levels as VOCs are precursors to $PM_{2.5}$. Thus, we propose to determine that approval of the SIP revision would not interfere with any applicable requirement concerning attainment and maintenance of any ozone standard and is compliant with CAA section 110(l).

V. Incorporation by Reference

In this document, the EPA is proposing to include in a final rule, regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is proposing to incorporate by reference Oregon's Division 244 and Division 216 rules as discussed in section IV of this document. The EPA has made, and will continue to make, these documents generally available through *https://www.regulations.gov* and at the EPA Region 10 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

VI. 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.[27] 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 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; [28]
- Is not an Executive Order 14192 [29] 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; [30]
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act; [31]
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995; [32]
- Does not have federalism implications as specified in Executive Order 13132; [33]
- Is not subject to Executive Order 13045 [34] because it approves a State program;
- Is not a significant regulatory action subject to Executive Order 13211; [35] and
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 [36] because application of

[24] 77 FR 28772 (May 16, 2012).

[25] 76 FR 78571 (December 19, 2011).

[26] Consistent with the EPA's guidance, ODEQ evaluated compliance with the 1997 8-hour ozone NAAQS because the former 1-hour ozone NAAQS was replaced by the 1997 8-hour standard. *See* 62 FR 38856 (July 18, 1997) and 75 FR 24844 (May 6, 2010).

[27] 42 U.S.C. 7410(k); 40 CFR 52.02(a).

[28] 58 FR 51735 (October 4, 1993).

[29] 90 FR 9065 (February 6, 2025).

[30] 44 U.S.C. 3501 *et seq.*

[31] 5 U.S.C. 601 *et seq.*

[32] Public Law 104–4.

[33] 64 FR 43255 (August 10, 1999).

[34] 62 FR 19885 (April 23, 1997).

[35] 66 FR 28355 (May 22, 2001).

[36] 15 U.S.C. 272 note.

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 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.[37]

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

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

Dated: October 29, 2026.

Emma Pokon,

Regional Administrator, Region 10.

[FR Doc. 2026–23124 Filed 11–12–26; 8:45 am]

BILLING CODE 6569–60–P

[37] 65 FR 67249 (November 9, 2000).