accomplishments and management control systems.

(b) VA may inspect grantee records to determine compliance with the provisions of this part.

§ 85.16 Financial management.

(a) All grantees (and subgrantees) must comply with the applicable requirements of the Single Audit Act Amendments of 1996, as implemented by 2 CFR part 200.

(b) Grantees must use financial management systems that comply with 2 CFR 200.400–200.475.

§ 85.17 Recordkeeping.

Grantees must maintain records per 2 CFR 200.334–200.338 and produce them upon VA request.

(Approved by the Office of Management and Budget under control number 2900–NEW)

§ 85.18 Non-appealability of grant award decisions.

VA grant award decisions under this part are final and not subject to appeal.

[FR Doc. 2026–23220 Filed 11–13–26; 8:45 am]

BILLING CODE 8320–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 81

[EPA–R10–OAR–2026–8551; FRL–13545–01–R10]

Air Plan Approval; AK; Fairbanks $PM_{2.5}$ Boundary Redesignation and Clean Data Determination

AGENCY: The Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve a request from Alaska to revise the boundary designation of the existing Fairbanks North Star Borough nonattainment area for the 2006 primary 24-hour fine particulate matter ($PM_{2.5}$) National Ambient Air Quality Standard (NAAQS). The EPA is proposing to split the existing nonattainment area into two distinct nonattainment areas, an area covering Fairbanks and the Goldstream Valley, and an area covering North Pole. The proposed new areas cover the same geographic area as the existing area. The EPA is also proposing to issue a clean data determination (CDD), for the proposed Fairbanks and Goldstream Valley area (''proposed Fairbanks nonattainment area'') based on a determination that the area is attaining the 2006 $PM_{2.5}$ NAAQS. If the EPA finalizes this CDD, certain Clean Air Act (CAA) requirements that apply to the proposed Fairbanks nonattainment area will be suspended for so long as the area continues to meet the 2006 24-hour $PM_{2.5}$ NAAQS. The EPA is taking this action pursuant to Clean Air Act sections 107, 110, 172, and 189.

DATES: Comments must be received on or before December 16, 2026.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R10–OAR–2026–8551, 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 electronically submit any information you consider to be Confidential Business Information (CBI) or other information the disclosure of which 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: Matthew Jentgen, EPA Region 10, 1200 Sixth Avenue, Suite 155, Seattle, WA 98101; by telephone at (206) 553–0340, or by email at *jentgen.matthew@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document, 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:

Alaska DEC Alaska Department of Environmental Conservation
AQS Air Quality System
CAA Clean Air Act
CDD Clean Data Determination
EPA U.S. Environmental Protection Agency
NAAQS National Ambient Air Quality Standards
$PM_{2.5}$ Fine Particulate Matter
SIP State Implementation Plan
SLAMS State and Local Air Monitoring Station
TSD Technical Support Document

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I. Executive Summary

A. What action is the EPA taking?

The EPA is proposing to approve a request from Alaska to revise the boundary designation of the Fairbanks North Star Borough nonattainment area for the 2006 primary 24-hour $PM_{2.5}$ NAAQS.[1] The Agency is proposing to split the existing nonattainment area into two distinct nonattainment areas, a Fairbanks and Goldstream Valley area (''Fairbanks nonattainment area'') and a North Pole area (''North Pole nonattainment area'), that cover the same geographic area as the existing nonattainment area. The EPA is also proposing to issue a CDD for the proposed Fairbanks nonattainment area for the 2006 24-hour $PM_{2.5}$ NAAQS.

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

The EPA is proposing to revise the existing nonattainment area boundary pursuant to CAA section 107. CAA section 107(d)(3)(D) authorizes the Governor of any State to submit to the Administrator a revised designation of any area or portion thereof within the State. The Agency must approve or deny such proposed redesignation within 18 months. Under CAA section 107(d)(1)(A), any area that does not meet (or that contributes to ambient air quality in a nearby area that does not meet) the NAAQS must be designated as a nonattainment area.

The EPA is proposing the CDD pursuant to CAA sections 172 and 189 and 40 Code of **Federal Register** (CFR) 51.1015 for the proposed Fairbanks nonattainment area. These statutory and regulatory provisions authorize the Agency to suspend certain nonattainment planning obligations if a $PM_{2.5}$ nonattainment area has attained the $PM_{2.5}$ NAAQS. If finalized, the CDD would relieve the State from the

[1] *See* 40 CFR 81.302.

requirements to submit an attainment demonstration, reasonable further progress plan, quantitative milestones and quantitative milestone reports, and contingency measures until the proposed Fairbanks nonattainment area is redesignated to attainment, after which such requirements are permanently discharged; or the EPA determines that the area has re-violated the $PM_{2.5}$ NAAQS, at which time the State shall submit such attainment plan elements for the Serious nonattainment area by a future date to be determined by the Agency and announced through publication in the **Federal Register** at the time the EPA determines the area is violating the $PM_{2.5}$ NAAQS.[2]

II. Background

Under CAA section 109, the EPA has established primary and secondary NAAQS for certain 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 primary NAAQS represent ambient air quality standards which the Agency has determined are necessary to protect the public health with an adequate margin of safety. The secondary NAAQS represent ambient air quality standards which the EPA has determined are 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. $PM_{2.5}$ is one such NAAQS.

Following promulgation of a new or revised NAAQS, the EPA is required by CAA section 107(d)(1) to designate areas throughout the United States as attainment, nonattainment, or unclassifiable for the NAAQS. Effective December 18, 2006, the EPA revised the primary and secondary 24-hour $PM_{2.5}$ NAAQS to 35 $\mu g/m^3$.[3]

On November 13, 2009, the EPA designated a portion of the Fairbanks North Star Borough as nonattainment for the 2006 24-hour $PM_{2.5}$ NAAQS (hereafter referred to as the ''existing Fairbanks nonattainment area'') upon evaluation of monitored air quality data for 2006–2008.[4] Based on the 43 $\mu g/m^3$ 2006–2008 design value at the State Office Building monitoring site,[5] the Alaska Department of Environmental Conservation (Alaska DEC) and the EPA determined that a portion of the Fairbanks North Star Borough was violating the NAAQS or contained sources contributing to a violation of the NAAQS. Alaska DEC noted that exceedances of the standard occur during cold and stagnant weather patterns in the winter season and in the summer months as the result of wildfires which Alaska DEC flagged as ''exceptional events'' in accordance with the EPA's Exceptional Events Rule at 40 CFR 50.14.

The ambient air monitoring network has continued to evolve since initial designation, with a focus on monitoring areas of expected maximum $PM_{2.5}$ concentrations throughout the existing Fairbanks nonattainment area.[6] In November of 2009, Alaska DEC established a multipollutant monitoring station at 907 Terminal Street in downtown Fairbanks, Alaska. This station eventually became the Fairbanks National Core multipollutant monitoring station (NCore), with an Air Quality System (AQS) site identification of 02–090–0034.[7]

On March 1, 2012, Alaska DEC established a special purpose monitor near the North Pole Fire Station on Hurst Road (AQS ID: 02–090–0035).[8] Originally, this monitoring station only operated during the winter. However, measured $PM_{2.5}$ concentrations from this station indicated it was located in the area of maximum $PM_{2.5}$ concentration in the nonattainment area.[9] Therefore, on January 1, 2015, the EPA and Alaska DEC converted this monitor from a special purpose monitor to a state or local air monitoring station (SLAMS) year-round monitor. SLAMS are required by the Agency network design regulations and are used for comparison to the NAAQS.[10]

In 2019, Alaska DEC established a new SLAMS $PM_{2.5}$ monitoring station to characterize expected maximum concentration in the Fairbanks and Goldstream Valley portion of the nonattainment area at the A Street location[11] (AQS ID: 02–090–0040).[12]

Regarding the nonattainment planning requirements, on September 8, 2017, the EPA approved the nonattainment plan for the existing Fairbanks nonattainment area as meeting the Moderate area plan requirements under CAA section 189(a).[13] However, the area failed to attain the NAAQS by the Moderate area attainment date, so the nonattainment area was classified as a Serious nonattainment area on May 10, 2017.[14]

Subsequently, on September 2, 2020, the EPA determined that the area failed to attain by the Serious area attainment date and denied the State's Serious area attainment date extension request.[15] As a result, Alaska was required to submit a revised SIP submission to meet both the Serious area attainment plan requirements and the additional requirements set forth in CAA section 189(d) by December 31, 2020.[16] Alaska submitted the revised plan on December 15, 2020 (Fairbanks 189(d) Plan). The Fairbanks 189(d) Plan updated a number of chapters of the narrative portion of the State Air Quality Control Plan, adopted and incorporated by reference into State law at 18 AAC 50.030(a).

On September 24, 2021, the EPA approved the 2013 base year emissions inventory and the $PM_{2.5}$ precursor demonstration elements of the Fairbanks Serious Plan as meeting the Serious area planning requirements.[17] In the same action, the Agency approved other plan components as SIP strengthening, including: (1) the updated Fairbanks Emergency Episode Plan[18] that the State adopted on November 18, 2020, and submitted on December 15, 2020; and (2) the regulatory control measures included in the SIP submissions on October 25, 2018, and November 28, 2018 (in addition to the December 13, 2019, submission).[19] The EPA did not determine as part of the September 24,

[2] 40 CFR 51.1015(b).

[3] 71 FR 61224 (Oct. 17, 2006).

[4] 74 FR 58688 (Nov. 13, 2009).

[5] Located at 675 7th Avenue, Fairbanks, within the proposed Fairbanks nonattainment area.

[6] For a map of the locations of air quality monitors in Fairbanks, see Figure 2 of the EPA's Technical Support Document in the docket for this action.

[7] Letter from Debra Suzuki, Acting Manager, State and Tribal Program Unit, EPA Region 10, to Barbara Trost, Air and Water Quality Division, Alaska DEC, EPA approval of Alaska DEC's 2010 Air Monitoring Network Plan, Oct. 13, 2010.

[8] Letter from Debra Suzuki, Manager, Air Planning Unit, EPA Region 10, to Barbara Trost, Air and Water Quality Division, Alaska DEC, EPA approval of Alaska DEC's 2015 Air Monitoring Network Plan, Oct. 28, 2015.

[9] Alaska Department of Environmental Conservation Annual Air Quality Monitoring Network Plan, June 2015.

[10] 40 CFR 58.1.

[11] Located at 397 Hamilton Avenue, Fairbanks, within the proposed Fairbanks nonattainment area.

[12] Letter from Debra Suzuki, Manager, Air Planning Unit, EPA Region 10, to Ms. Barbara Trost, Division of Air Quality, Alaska DEC, *Approval of Alaska DEC 2019 Annual Monitoring Network Plan,* Nov. 21, 2019.

[13] 82 FR 42457 (Sept. 8, 2017).

[14] 82 FR 21711 (May 10, 2017).

[15] 85 FR 54509 (Sept. 2, 2020).

[16] 40 CFR 51.1003(c).

[17] 86 FR 52997 (Sept. 24, 2021).

[18] State Air Quality Control Plan, Vol. II, section III.D.7.12 (*i.e.,* Alaska's planning chapter related to air quality forecasting and curtailment levels).

[19] For a description of the specific control measures addressed across the State's SIP submissions, see 86 FR 52997 (Sept. 24, 2021).

2021, approval whether these SIP strengthening components met specific nonattainment plan requirements, including control strategy requirements in CAA section 189 and 40 CFR 51.1010 or the contingency measure requirements in CAA section 172(c)(9) and 40 CFR 51.1014.

On December 5, 2023, the EPA acted on the remaining elements required for a Serious nonattainment area that failed to attain by the Serious area attainment date, approving in part and disapproving in part the Fairbanks Serious Plan and Fairbanks 189(d) Plan.[20]

On December 4, 2024, Alaska made a SIP submission (Fairbanks Revised 189(d) Plan) intended to address the nonattainment requirements that were disapproved as part of the EPA's December 5, 2023, final rule. On November 18, 2025, the EPA fully approved the nonattainment plan for the existing Fairbanks nonattainment area as meeting Serious area requirements under CAA section 189(b) and the requirements for failing to attain as a Serious area under CAA section 189(d).[21] The current applicable attainment date for the existing Fairbanks nonattainment area is December 31, 2027.

III. Summary of Alaska's Redesignation Request

On May 18, 2025, the Governor of Alaska submitted a request and accompanying supporting analysis for the EPA to revise the boundary designation of the existing Fairbanks nonattainment area.[22] Alaska requested, under CAA section 107(d)(3)(D), to revise the boundary for the existing Fairbanks nonattainment area by splitting it into two distinct nonattainment areas: a Fairbanks and Goldstream Valley area and a North Pole area.[23]

The boundaries of the two areas follow the existing air quality control zone boundaries. In 2016, Alaska DEC established three air quality control zones for the purposes of implementing burn bans: a Goldstream zone located on the northwestern portion of the nonattainment area, a Fairbanks zone principally consisting of downtown Fairbanks and surrounding residential and commercial areas, and a North Pole zone principally consisting of the city of North Pole and surrounding residential areas.[24] The proposed Fairbanks nonattainment area combines the Goldstream zone and Fairbanks zone. The proposed North Pole nonattainment area consists of the North Pole zone.

The regulatory air quality monitors in the proposed Fairbanks nonattainment area demonstrate a decrease of $PM_{2.5}$ levels since 2014. The design values at the NCore and A Street monitors in the Fairbanks portion of the nonattainment area are well below the 2006 NAAQS for the 2022–2024 and 2023–2025 monitoring periods (particularly when excluding state-flagged exceedances likely due to summer wildfires). Alaska DEC has also demonstrated that the proposed Fairbanks nonattainment area does not contribute to a violation of the 2006 $PM_{2.5}$ NAAQS in the proposed North Pole nonattainment area, based on consideration of air quality data, emissions and emissions-related data, meteorology, geography/topography, and jurisdictional boundaries.

The EPA is using the technical information contained in Alaska DEC's May 18, 2026, submittal and the most recent complete, quality-assured, and certified air quality data for the 2023–2025 monitoring period to support this proposed action.

IV. Proposed Action

The Agency is proposing to take two actions. Under the authority of CAA section 107(d)(3)(D), the Agency is proposing to approve Alaska's requested revisions to the existing Fairbanks nonattainment area boundary designation to create two separate nonattainment areas that together cover the same geographic area as the existing nonattainment area. Second, pursuant to 40 CFR 51.1015, the EPA is proposing to make a CDD for the proposed Fairbanks nonattainment area for the 2006 $PM_{2.5}$ NAAQS.

A. Revisions to the Existing Fairbanks Nonattainment Area Boundary

In determining whether to approve or deny a State's request for a revision to the designation of an area under CAA section 107(d)(3)(D), the EPA considers the same factors when the Agency initiates a revision to a designation of an area on its own motion under CAA section 107(d)(3)(A). These CAA section 107(d)(3)(A) factors include ''air quality data, planning and control considerations, or any other air quality related considerations the Administrator deems appropriate.'' Using CAA section 107(d)(3)(A) as a framework, the EPA considers five factors when evaluating requests under CAA section 107(d)(3)(D): air quality data, emissions and emissions-related data, meteorology, geography/topography, and jurisdictional boundaries.

If the EPA finalizes this action as proposed, the existing Fairbanks nonattainment area would be split into two distinct nonattainment areas that together cover the same geographic area as the existing area. One of the proposed separate areas, to be called the ''Fairbanks nonattainment area,'' would consist of the Fairbanks and Goldstream zones of the current area. The other proposed separate area, to be called the ''North Pole nonattainment area,'' would consist of the North Pole zone. All areas would continue to be designated nonattainment and classified as Serious for the 2006 $PM_{2.5}$ NAAQS.

CAA section 107(d)(1)(A)(i) defines ''nonattainment'' as ''any area that does not meet (or that contributes to ambient air quality in a nearby area that does not meet)'' the NAAQS. Therefore, consistent with the statute, the EPA will not redraw the boundaries of nonattainment areas where one portion of the area, though monitoring clean data, contributes to the nonattainment of another portion of the area.

1. Proposed Fairbanks Nonattainment Area for the 2006 $PM_{2.5}$ NAAQS

Based on a consideration of the information submitted by Alaska and other available information discussed in the EPA's technical support document (TSD) included in the docket for this action, the Agency is proposing to find that the air quality data, emissions and emissions-related data, meteorology, geography/topography, jurisdictional boundaries, other air quality related considerations, as well as planning and control considerations, support the State's request to revise the existing Fairbanks nonattainment area boundary.

Alaska's May 18, 2026, submittal requested that the EPA split the Fairbanks nonattainment area for the 2006 $PM_{2.5}$ NAAQS and create a distinct nonattainment area for the Fairbanks and Goldstream portion of the existing nonattainment area.[25] In this action, the Agency is proposing to revise the existing nonattainment area boundary and create two separate nonattainment areas, acknowledging the differences in the factors contributing to $PM_{2.5}$ levels

[20] 88 FR 84626 (Dec. 5, 2023).

[21] 90 FR 51529 (Nov. 18, 2025).

[22] Alaska's submittal can be found in the docket for this action.

[23] For a map of the proposed nonattainment areas, see Figure 1 of the accompanying Technical Support Document (TSD). For a map of the air quality control zones, see Figure 8 of the TSD. The TSD is available in the docket for this action.

[24] Alaska Administrative Code, 18 AAC 50.025.

[25] Alaska submitted a request to the EPA to split the nonattainment area on November 20, 2015. In a June 12, 2018, letter, Alaska DEC requested that the EPA hold the November 20, 2015, split request in abeyance. Alaska DEC requested that the 2026 Split Request supersede the 2015 request that was held in abeyance.

in the separate areas, and thus providing Alaska DEC with additional flexibility in meeting the CAA's nonattainment area planning and emissions control requirements. This includes the ability to account for differences in air quality in the separate areas in the event that one of the new, separate areas attains the $PM_{2.5}$ standards faster than the other.

The EPA proposes in this action that, based on consideration of the five CAA section 107(d)(3)(A) factors, the proposed Fairbanks nonattainment area does not contribute to a violation of the 2006 $PM_{2.5}$ NAAQS in the proposed North Pole nonattainment area, and thus it is appropriate that the two areas be considered separate for implementation and planning purposes. An analysis of the five factors and a weight-of-evidence approach supports this conclusion. The air quality data in the proposed Fairbanks nonattainment area indicate that the 2022–2024 and 2023–2025 design values are below the 2006 $PM_{2.5}$ NAAQS.[26] An analysis of emissions data, considering meteorological and geographical/topographical factors, support the conclusion that the emissions from this area are not contributing to the violations in the proposed North Pole nonattainment area. A detailed analysis supporting this demonstration may be found in the TSD in the docket for this action.

Because this action also proposes to find that the proposed Fairbanks nonattainment area is attaining the 2006 $PM_{2.5}$ NAAQS, it is not necessary to consider whether the proposed North Pole nonattainment area contributes to a violation of the 2006 $PM_{2.5}$ NAAQS in the proposed Fairbanks nonattainment area, as no such violation exists.

2. Proposed North Pole Nonattainment Area for the 2006 $PM_{2.5}$ NAAQS

The Agency is proposing to approve Alaska's request to create a distinct nonattainment area for the North Pole portion of the current nonattainment area based on air quality data, emissions and emissions-related data, meteorology, geography/topography, jurisdictional boundaries, other air quality related considerations, as well as planning and control considerations.

The air quality data in the proposed North Pole nonattainment area remains above the 2006 $PM_{2.5}$ NAAQS. However, the proposed North Pole nonattainment area does not contribute to a violation of the 2006 $PM_{2.5}$ NAAQS in the proposed Fairbanks nonattainment area. Likewise, based on consideration of the five CAA section 107(d)(3)(A) factors, the proposed Fairbanks nonattainment area does not contribute to a violation of the 2006 $PM_{2.5}$ NAAQS in the proposed North Pole nonattainment area. Thus, it is appropriate that the two areas be considered separate for implementation and planning purposes. An analysis of the five recommended factors and a weight-of-evidence approach supports this conclusion.

B. Clean Data Determination for the Proposed Fairbanks Nonattainment Area

As determined in accordance with 40 CFR 50.18 and Appendix N to 40 CFR part 50, an area is attaining the 2006 $PM_{2.5}$ NAAQS if it meets the 2006 $PM_{2.5}$ NAAQS, based on three complete, consecutive calendar years of quality-assured air quality data for all monitoring sites in the area. To attain the 2006 24-hour $PM_{2.5}$ NAAQS, the three-year average of the annual 98th percentile of the daily 24-hour average $PM_{2.5}$ concentrations ($PM_{2.5}$ design values) at each site must not exceed 35 $\mu g/m^3$.[27] The air quality data must be collected and quality-assured in accordance with 40 CFR part 58 and recorded in the EPA's Air Quality System (AQS.)[28] Ambient air quality monitoring data for the three-year period must also meet data completeness requirements.[29] A 24-hour $PM_{2.5}$ design value is valid if quarterly data capture rates for all four quarters in each year of the three-year period are at least 75 percent.[30] However, years shall be considered valid, notwithstanding quarters with less than complete data (even quarters with less than 11 creditable samples, but at least one creditable sample must be present for the year), if the resulting annual 98th percentile value or resulting 24-hour NAAQS design value (rounded according to the conventions of section 4.3 of Appendix N) is greater than the level of the standard. Furthermore, where the explicit 75 percent quarterly data capture requirement is not met, the 24-hour $PM_{2.5}$ NAAQS design value shall still be considered valid if it passes the maximum quarterly value data substitution test.[31]

According to the EPA's AQS air quality monitor data in the proposed Fairbanks nonattainment area, the 2023–2025 design value at the A Street monitor is 35 $\mu g/m^3$ and the NCore monitor is 34 $\mu g/m^3$.[32] These design values include all air quality data and do not include potential data that could be approved by the EPA for treatment as Exceptional Events (in this case, monitoring data influenced by summer wildfires). The design value from the prior 3-year period, 2022–2024, at the A Street monitor was 26 $\mu g/m^3$ and the NCore monitor was 24 $\mu g/m^3$, when removing all monitor data that the State determined were influenced by summer wildland fires.[33] The 2023–2025 design values at the A Street monitor is 25 $\mu g/m^3$ and NCore monitor is 24 $\mu g/m^3$, after excluding state-flagged data that is influenced by summer wildfires. Therefore, based on recent year 3-year design values below the 35 $\mu g/m^3$ 24-hour $PM_{2.5}$ NAAQS, the EPA proposes to find that the proposed Fairbanks nonattainment area will have attained the 2006 24-hour $PM_{2.5}$ NAAQS, and proposes to issue a CDD based on the most recent air quality data at monitors located in the proposed Fairbanks nonattainment area. This proposed action is consistent with the Agency's clean data requirements for $PM_{2.5}$ Serious nonattainment areas established in 40 CFR 51.1015. If finalized, this CDD would relieve the requirements for the State to submit an attainment demonstration, reasonable further progress plan, quantitative milestones and quantitative milestone reports, and contingency measures for the proposed Fairbanks nonattainment area, in accordance with 40 CFR 51.1015(b).

C. Summary

This action proposes to revise the boundary of an existing $PM_{2.5}$ nonattainment area by splitting it into two separate nonattainment areas that together cover the same geographic area as the existing nonattainment area. This action also proposes to make a CDD for the 2006 24-hour $PM_{2.5}$ NAAQS based on air quality data for one of those proposed areas—the proposed Fairbanks nonattainment area. If the EPA finalizes the boundary revision for the Fairbanks nonattainment area and finalizes the

[26] Due to data issues, the A Street monitor representing the area of maximum $PM_{2.5}$ concentrations in the proposed Fairbanks nonattainment area did not have a valid design value until 2024. The other air quality monitor in the proposed nonattainment area, the NCore monitor, has been below the 24-hour $PM_{2.5}$ NAAQS since 2015.

[27] 40 CFR 50.13(c); Appendix N to 40 CFR part 50, Section 4.2.

[28] Appendix N to 40 CFR part 50, Section 3.0.

[29] *Id.* At Section 4.2.

[30] *Id.*

[31] *Id.*

[32] See EPA's Air Quality System, Preliminary Design Value Report, for the A Street and NCore monitors, included in the docket for this action.

[33] For a detailed account of the monitor data influenced by summer wildfire smoke, see EPA's letter concurring on Exceptional Events for the annual $PM_{2.5}$ NAAQS, included in the docket for this action. Letter from Angeles Herrera, EPA Region 10, Air and Radiation Division Director, to Jason Olds, Alaska DEC, Air Quality Division Director, March 19, 2026.

proposed CDD for that area, then the EPA will suspend requirements to submit certain plan requirements to attain the 2006 24-hour $PM_{2.5}$ NAAQS, so long as the area continues to attain the standard. These actions do not impose additional requirements.

V. Transportation Conformity Implementation

Transportation conformity is required under CAA section 176(c) to ensure that federally funded or approved highway and transit activities are consistent with (''conform to'') the purpose of the SIP.[34] The EPA notes for informational purposes that, if this proposal is finalized, when Alaska submits a $PM_{2.5}$ control strategy SIP or maintenance plan that addresses either of the two proposed, separate areas, such a SIP would need to include separate motor vehicle emissions budget(s) that apply to the new geographic boundaries for use in transportation conformity. The EPA intends to work with the State and the Fairbanks metropolitan planning organization to provide additional technical assistance for transportation conformity purposes prior to adequate or approved budgets being available for the proposed new, separate nonattainment area boundaries. The EPA notes that the Agency is providing this information to provide additional background for this rulemaking; the Agency is not proposing changes to the transportation conformity regulation in this rulemaking.

VI. Statutory and Executive Order Reviews

This action proposes to revise the boundary of an existing $PM_{2.5}$ nonattainment area by splitting it into two separate nonattainment areas that together cover the same geographic area as the existing nonattainment area. It also proposes to make a CDD for the proposed Fairbanks nonattainment area, which if finalized would suspend the requirement to submit certain attainment plan requirements for the 2006 24-hour $PM_{2.5}$ NAAQS. This proposed action does not impose additional requirements. 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 subject to Executive Order 14192 (90 FR 9065, February 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, August 10, 1999);
- Is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a State program;
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA.

In addition, this proposed action would not be 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

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.

40 CFR Part 81

Environmental protection, Air pollution control, Carbon monoxide, 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 19, 2026.

Emma Pokon,

Regional Administrator, Region 10.

[FR Doc. 2026–23235 Filed 11–13–26; 8:45 am]

BILLING CODE 6569–60–P

[34] 40 CFR Parts 51.390 and 93.

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. NHTSA–2026–1519]

RIN 2127–AM70

Federal Motor Vehicle Safety Standards; Modernization of FMVSS No. 108 To Accommodate ADS-Equipped Vehicles

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Extension of comment period.

SUMMARY: In response to requests from the Alliance for Automotive Innovation (the Alliance), Society of Automotive Engineers (SAE) International, and Gatik AI Inc. (Gatik), NHTSA is announcing a 15-day extension of the public comment period for the notice of proposed rulemaking (NPRM) published on October 26, 2026 proposing to amend Federal Motor Vehicle Safety Standard (FMVSS) No. 108, ''Lamps, reflective devices, and associated equipment.'' The proposed modifications would distinguish how regulations apply to vehicles with and without manually operated driving controls. The comment period for the notice was originally scheduled to end on November 25, 2026. It will now end on December 10, 2026.

DATES: The comment period for the proposed rule published at 91 FR 67243 on October 26, 2026 is extended to December 10, 2026.

ADDRESSES: You may submit comments identified by the docket number in the heading of this document through any of the following methods:

- *Electronic Submissions:* Go to the Federal eRulemaking Portal at *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Fax:* (202) 493–2251.
- *Mail or Hand Delivery:* Docket Management, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Suite W58–213, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays. To be sure someone is there to help you, please call (202) 366–9826 or (202) 366–9317 before coming.

Instructions: All submissions must include the agency name and docket number for this notice. Note that all comments received will be posted without change to *http://www.regulations.gov,* including any