Postal Automated Redirection System (PARS), and marked as Undeliverable as Addressed (UAA), resulting in refunding the customer for mail not delivered as addressed (*i.e.,* ''Current Resident'' or ''Current Occupant'').

The Postal Service is proposing to implement this change effective February 14, 2027.

Although exempt from the notice and comment requirements of the Administrative Procedure Act (5 U.S.C. 553(b), (c)) regarding proposed rulemaking by 39 U.S.C. 410(a), the Postal Service invites public comments on the following described revisions to *Mailing Standards of the United States Postal Service,* Domestic Mail Manual (DMM), incorporated by reference in the *Code of Federal Regulations.*

We will publish an appropriate amendment to 39 CFR part 111 to reflect these changes.

List of Subjects in 39 CFR Part 111

Administrative practice and procedure, Postal Service.

Accordingly, the Postal Service proposes the following changes to *Mailing Standards of the United States Postal Service,* Domestic Mail Manual (DMM), incorporated by reference in the *Code of Federal Regulations* (see 39 CFR 111.1):

PART 111—[AMENDED]

■ 1. The authority citation for 39 CFR Part 111 continues to read as follows:

Authority: 5 U.S.C. 552(a); 13 U.S.C. 301–307; 18 U.S.C. 1692–1737; 39 U.S.C. 101, 401–404, 414, 416, 3001–3018, 3201–3220, 3401–3406, 3621, 3622, 3626, 3629, 3631–3633, 3641, 3681–3685, and 5001.

■ 2. Revise the *Mailing Standards of the United States Postal Service,* Domestic Mail Manual (DMM), as follows:

Mailing Standards of the United States Postal Service, Domestic Mail Manual (DMM)

* * * * *

500 Additional Mailing Services

507 Mailer Services

1.0 Treatment of Mail

* * * * *

1.5 Treatment for Ancillary Services by Class of Mail

1.5.1 First-Class Mail, USPS Ground Advantage—Retail, USPS Ground Advantage—Commercial, and Priority Mail

Undeliverable-as-addressed First-Class Mail (including postcards), USPS Ground Advantage—Retail, USPS Ground Advantage—Commercial, and Priority Mail pieces are treated under Exhibit 1.5.1 with these additional conditions:

* * * * *

[Delete item b in its entirety and renumber item c through f as items b through e.]

* * * * *

600 Basic Standards for All Mailing Services

602 Addressing

3.0 Use of Alternative Addressing

* * * * *

3.1 General Information

* * * * *

3.1.2 Prohibited Use

Alternative addressing formats may not be used on:

[Revise the text of items a and b to read as follows:]

a. Priority Mail Express, Priority Mail, First-Class Mail, and USPS Ground Advantage, pieces.

b. Mail with any ancillary service endorsement under 507.1.1 through 507.1.8.

3.1.3 Treatment

[Revise the last sentence of 3.1.3 to read as follows:]

* * * Undeliverable mail with any alternative addressing format is disposed of as waste under 507.1.9.1.

* * * * *

Colleen Hibbert-Kapler,

Attorney, Ethics and Legal Compliance.

[FR Doc. 2026–24110 Filed 11–25–26; 8:45 am]

BILLING CODE 7710–12–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R03–OAR–2018–0042; FRL–13047–01–R3]

Air Plan Approval; Maryland; Interstate Transport Requirements for the 2010 1-Hour Sulfur Dioxide National Ambient Air Quality Standard

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The U.S. Environmental Protection Agency (EPA) is proposing to approve portions of a Maryland state implementation plan (SIP) submission as adequate to meet certain Clean Air Act (CAA) interstate transport requirements for the 2010 primary sulfur dioxide (SO_2) national ambient air quality standard (NAAQS). Specifically, the EPA proposes to find that the SIP submission demonstrates that the Maryland SIP contains adequate provisions prohibiting emissions from Maryland sources from contributing significantly to nonattainment or interfering with maintenance of the 2010 SO_2 NAAQS in any other state. This action is being taken under the CAA.

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

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R03–OAR–2018–0042 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: Sarah McCabe, 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) 814–5786. Ms. McCabe can also be reached via electronic mail at *mccabe.sarah@epa.gov.*

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:

BART—Best Available Retrofit Technology
CAA—Clean Air Act SO_2—Sulfur Dioxide
CFR—Code of Federal Regulations
COMAR—Code of Maryland Regulations
DV—Design Value
EGU—Electric Generating Unit
EIS—Emissions Inventory System
EPA—Environmental Protection Agency
FR—Federal Register
HAA—Healthy Air Act
MDE—Maryland Department of the Environment
NAAQS—National Ambient Air Quality Standards
NEI—National Emissions Inventory
Pb—Lead
$PM_{2.5}$—Fine Particulate Matter
ppb—Parts per billion
PSD—Prevention of Significant Deterioration NSR—New Source Review
SIP—State Implementation Plan
tpy—Tons per year
TSD—Technical Support Document
WOE—Weight of Evidence

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I. Background

A. Infrastructure SIPs

On June 2, 2010, the EPA established a revised primary 1-hour SO_2 NAAQS with a level of 75 parts per billion (ppb), based on a 3-year average of the annual 99th percentile of daily maximum 1-hour average concentrations.[1] CAA section 110(a)(1) requires all states to submit, within three years after promulgation of a new or revised NAAQS, SIP submissions to provide for the implementation, maintenance, and enforcement of the NAAQS.[2] The EPA has historically referred to these SIPs as ''infrastructure SIPs.'' Specifically, section 110(a)(1) provides the procedural and timing requirements for SIP submissions. Section 110(a)(2) lists specific elements that all states must meet related to a newly established or revised NAAQS, such as requirements for monitoring, basic program requirements, and legal authority that are designed to assure attainment and maintenance of the NAAQS.

Section 110(a)(2)(D)(i) of the CAA requires SIPs to contain provisions to prohibit emissions that have certain adverse air quality effects on other States due to interstate transport of pollution. Section 110(a)(2)(D)(i) includes four distinct components, commonly referred to as ''prongs,'' that must be addressed in infrastructure SIP submissions. The first two prongs, which are codified in section 110(a)(2)(D)(i)(I), require SIPs to contain adequate provisions that prohibit any source or other type of emissions activity in one State from contributing significantly to nonattainment of the NAAQS in any other State (Prong 1) and from interfering with maintenance of the NAAQS in any other State (Prong 2). These first two prongs are often referred to as the good neighbor provision. The third and fourth prongs, which are codified in section 110(a)(2)(D)(i)(II), require SIPs to contain adequate provisions that prohibit emissions activity in one State from interfering with measures required to prevent significant deterioration of air quality in another State (Prong 3) and from interfering with measures to protect visibility in another State (Prong 4). This submittal and action only address CAA section 110(a)(2)(D)(i)(I).

The EPA has long interpreted this language to enact a ''functional prohibition'' on certain emissions from upwind states, necessitating the EPA's independent assessment whether those emissions will occur or have been adequately controlled in the state where they originate.[3] We are addressing Prongs 1 and 2 in this proposed action. All other applicable infrastructure SIP requirements of the Maryland SIP submission are addressed in a separate rulemaking.[4]

B. 2010 1-Hour SO_2 NAAQS Designations Background

For this proposed action, the EPA considered information from the 2010 1-hour SO_2 NAAQS designations process, as discussed in more detail in section III.B of this document. Accordingly, a brief summary of the EPA's designations process for the 2010 1-hour SO_2 NAAQS is included here.[5]

After the promulgation of a new or revised NAAQS, the EPA must designate areas as ''nonattainment,'' ''attainment,'' or ''unclassifiable'' pursuant to CAA section 107(d)(1) and (2). The process for designating areas following promulgation of a new or revised NAAQS is contained in CAA section 107(d). The EPA promulgated the 2010 1-hour SO_2 NAAQS on June 22, 2010.[6] The EPA Administrator signed the first round[7] of designations (''Round 1'') for the 2010 1-hour SO_2 NAAQS on July 25, 2013,[8] designating 29 areas in 16 states as nonattainment.[9] The **Federal Register** rules for the Round 2 designations published on July 12, 2016[10] and on December 13, 2016.[11] [12] The Round 3 designations were published on January 9, 2018[13] and April 5, 2018.[14] [15] The Round 4

[1] *See* 75 FR 35520 (June 22, 2010).

[2] On December 10, 2024, the EPA revised the secondary NAAQS for SO_2 to an annual average, averaged over three consecutive years, with a level of 10 parts per billion (ppb). *See* 89 FR 105692 (December 27, 2024).

[3] *See Genon Rema LLC* v. *EPA,* 722 F.3d 513, 520–24 (3d Cir. 2013); *Appalachian Power Co.* v. *EPA,* 249 F.3d 1032, 1045–47 (D.C. Cir. 2001); *see also* 71 FR 25328, 25335 (Apr. 28, 2006) (explaining that the SIP/FIP process under section 110 and the petitioning process for direct Federal regulation under section 126 provide independent means of effectuating the same ''functional prohibition'' found in CAA section 110(a)(2)(D)(i)(I)).

[4] This action only addresses CAA section 110(a)(2)(D)(i)(I). The EPA took prior action on the other elements of CAA section 110(1) and (2) presented in this submittal. The EPA's first action is found in 81 FR 36343 (June 16, 2020), which approved all the elements outlined in 110(a)(1) and (2) except for Prongs 1 and 2 of the interstate transport provisions.

[5] While designations may provide useful information for purposes of analyzing transport, the EPA notes that the designations are not dispositive of whether upwind emissions are impacting areas in downwind States. The EPA has consistently taken the position that CAA section 110(a)(2)(D)(i)(I) requires elimination of significant contribution and interference with maintenance in other states, and this analysis is not limited to designated nonattainment areas. Nor must designations for nonattainment areas have first occurred before states or the EPA can act under CAA section 110(a)(2)(D)(i)(I). *See, e.g.,* Clean Air Interstate Rule, 70 FR 25162, 25265 (May 12, 2005); Cross State Air Pollution Rule, 76 FR 48208, 48211 (August 8, 2011); Final Response to Petition from New Jersey Regarding SO_2 Emissions From the Portland Generating Station, 76 FR 69052 (November 7, 2011) (finding facility in violation of the prohibitions of CAA section 110(a)(2)(D)(i)(I) with respect to the 2010 1-hour SO_2 NAAQS prior to issuance of designations for that standard).

[6] *See* 75 FR 35520 (June 22, 2010).

[7] The term ''round'' in this instance refers to which ''round of designations.''

[8] *See* 78 FR 47191 (August 5, 2013).

[9] The EPA and State documents and public comments related to the Round 1 final designations are available at *www.regulations.gov/*, Docket ID No. EPA–HQ–OAR–2012–0233, and on the EPA's website for SO_2 designations at *www.epa.gov/sulfur-dioxide-designations.*

[10] *See* 81 FR 45039 (July 12, 2016).

[11] *See* 81 FR 89870 (December 13, 2016).

[12] The EPA and State documents and public comments related to the Round 2 final designations are available at *www.regulations.gov/*, Docket ID No. EPA–HQ–OAR–2014–0464, and on the EPA's website for SO_2 designations at *www.epa.gov/sulfur-dioxide-designations.*

[13] *See* 83 FR 1098 (January 9, 2018).

[14] *See* 83 FR 14597 (April 5, 2018).

[15] The EPA and State documents and public comments related to Round 3 final designations are

Continued

designations [16] were published on March 26, 2021 [17] [18] and April 14, 2021.[19] [20]

For Maryland, the EPA designated the Anne Arundel County and Baltimore County area as nonattainment and Baltimore City as unclassifiable/attainment in Round 2 and designated most areas in the State as unclassifiable/attainment in Round 3 [21] except for Allegany County, which the EPA designated as attainment/unclassifiable in Round 4. There is one nonattainment area in Maryland for the 2010 1-hour SO_2 NAAQS following the EPA's fourth and final round of the designations process. While in-state designations themselves are not sufficient on their own for the EPA to draw conclusions about potential out-of-state impacts, the EPA draws upon information generated under the DRR and as part of the SO_2 designations process, as well as other available relevant information, that is useful in assessing whether Maryland's SIP meets the requirements of CAA section 110(a)(2)(D)(i)(I).

II. Relevant Factors Used To Evaluate 2010 1-Hour SO_2 Interstate Transport SIPs

Although SO_2 is emitted from similar point and nonpoint sources as is directly emitted fine particulate matter ($PM_{2.5}$) and the precursors to ozone and $PM_{2.5}$, the interstate transport of SO_2 is distinguishable from the transport of $PM_{2.5}$ or ozone. Emissions of $PM_{2.5}$ and ozone disperse over a wide area and can contribute to nonattainment or maintenance issues hundreds of miles from precursor-emitting sources or activities. SO_2 emissions usually do not undergo long-range transport in the atmosphere. The transport of SO_2 relative to the 2010 1-hour SO_2 NAAQS is more analogous to the transport of lead (Pb) relative to the Pb NAAQS in that emissions of SO_2 typically result in 1-hour pollutant impacts of greatest concern near the source of emissions. However, ambient 1-hour concentrations of SO_2 do not decrease as quickly with distance from the source as do 3-month average concentrations of Pb, because SO_2 gas is not removed by deposition as rapidly as are Pb particles. Emitted SO_2 has wider-ranging impacts than emitted Pb, but it does not have such wide-ranging (far downwind) impacts that treatment in a manner similar to ozone or $PM_{2.5}$ would be appropriate. Thus, the approaches that the EPA has adopted for ozone or $PM_{2.5}$ transport are too regionally focused, and the approach for Pb transport is too tightly circumscribed to the source, to be appropriate for assessing SO_2 transport. SO_2 transport is therefore a unique case and necessitates an approach that lies between these other approaches to assessing pollutant transport.

For this proposed rulemaking, and consistent with its prior SO_2 transport analyses, the EPA focused on a 50 kilometer (km)-wide zone around sources of interest because the physical properties of SO_2 result in relatively localized pollutant impacts near an emission source that drop off with distance. Accordingly, the EPA believes that significant impacts in a downwind State are unlikely at distances greater than 50 km from a source and thus, we are focusing our review on areas within 50 km of the State lines. This scale of analysis is consistent with the ''urban scale,'' which is the largest appropriate spatial scale for SO_2 monitors and is useful for assessing SO_2 transport and trends in area-wide air quality.[22]

As discussed in section III in this document, and in further detail in the technical support document (TSD) for this action, the EPA reviewed Maryland's SO_2 SIP submittal. The State's submission did not have sufficient information to fully assess whether Maryland was meeting the CAA good neighbor provision requirements for the 2010 SO_2 NAAQS. Therefore, we elected to review and assess other available information regarding SO_2 emissions and air quality for sources in Maryland to assist in our own evaluation. We independently analyzed such information to determine whether Maryland meets the interstate transport requirements described in the CAA.[23]

Consistent with our prior evaluations of other states' SO_2 transport obligations, we conducted a weight of evidence (WOE) analysis evaluating several sources of information, including current air quality data from monitors as well as available emissions and/or source modeling for sources in Maryland and in neighboring states within 50 km of the Maryland border. A WOE analysis can be applied to determine whether SO_2 emissions from a given State are contributing to nonattainment or maintenance issues in adjoining states. A WOE analysis that is based strictly on available data may not be sufficient in all instances for evaluating interstate SO_2 transport, and additional analysis may be necessary. Further, the term ''WOE'' does not establish the legal or technical basis for what constitutes significant contribution to nonattainment or interference with maintenance for the 2010 SO_2 NAAQS. Rather, WOE refers to the gathering and consideration of a wide range of information, on a case-by-case basis, to determine whether a statutory or regulatory standard is met.

In other SO_2 transport SIP actions, the EPA generally has been able to use a WOE analysis of available information to reach a conclusion that there are no SO_2 nonattainment or maintenance issues in the relevant areas of other

available at *www.regulations.gov/*, Docket ID No. EPA–HQ–OAR–2017–0003, and on the EPA's website for SO_2 designations at *www.epa.gov/sulfur-dioxide-designations*.

[16] The EPA and State documents and public comments related to Round 4 final designations are available at *www.regulations.gov/*, Docket ID No. EPA–HQ–OAR–2020–0037, and on the EPA's website for SO_2 designations at *www.epa.gov/sulfur-dioxide-designations.*

[17] *See* 86 FR 16055 (March 26, 2021).

[18] The Round 4 2010 1-hour SO_2 NAAQS designations action was signed by former EPA Administrator Andrew Wheeler on December 21, 2020, pursuant to a court-ordered deadline of December 31, 2020. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, former Acting Administrator Jane Nishida re-signed the same action on March 10, 2021, for publication in the **Federal Register**.

[19] *See* 86 FR 19576 (April 14, 2021).

[20] On August 21, 2015 (80 FR 51052), the EPA separately promulgated air quality characterization requirements for the 2010 1-hour SO_2 NAAQS in the Data Requirements Rule (DRR). The DRR requires state air agencies to characterize air quality, through air dispersion modeling or monitoring, in areas associated with sources that emitted in 2014 2,000 tons per year (tpy) or more of SO_2, or that have otherwise been listed under the DRR by the EPA or state air agencies. In lieu of modeling or monitoring, state air agencies, by specified dates, could elect to impose federally enforceable emissions limitations on those sources restricting their annual SO_2 emissions to less than 2,000 tpy, or provide documentation that the sources have been shut down. The EPA used the information generated by implementation of the DRR to help inform Round 4 designations for the 2010 1-hour SO_2 NAAQS.

[21] See *Technical Support Document: Chapter 18 Final Round 3 Area Designations for the 2010 1-Hour SO_2 Primary National Ambient Air Quality Standard for Maryland* in the docket at *www.regulations.gov* with Docket ID No. EPA–HQ–OAR–2017–0003 or *www.epa.gov/sulfur-dioxide-designations/final-technical-support-documents-area-designations-round-3*.

[22] For the definition of spatial scales for SO_2, see 40 CFR part 58, appendix D, section 4.4 (''Sulfur Dioxide (SO_2) Design Criteria''). For further discussion on how the EPA applies these definitions with respect to interstate transport of SO_2, see the EPA's proposed rulemaking on Connecticut's SO_2 transport SIP. *See* 82 FR 21351, 21352, 21354 (May 8, 2017).

[23] This proposed rulemaking is based on the information contained in the administrative record for this action and does not prejudge any future EPA action that may make other determinations regarding the air quality status in Maryland and downwind States. Any such future action, such as area designations under any NAAQS, would be based on relevant administrative records and the EPA's analyses of the information that become available at that time. Such information may include monitoring data and modeling analyses conducted by States, air agencies, and third-party stakeholders.

states, or that no sources in the upwind State are contributing to those issues. If the available evidence indicated, however, that an upwind source, sources, or emissions activities were contributing to an out-of-state SO_2 nonattainment or maintenance problem, then further analysis and a regulatory determination would be necessary concerning what amount of those emissions, if any, constituted ''significant contribution'' under Prong 1 or Prong 2 of the CAA good neighbor provision.

We find that there is sufficient information to make a determination that, under baseline conditions and likely future emissions scenarios, no Maryland sources are contributing to any out-of-state SO_2 nonattainment or maintenance concerns, therefore it is not necessary for purposes of this action to render a determination concerning what amount of emissions would be ''significant'' and therefore subject to prohibition under the CAA good neighbor provision.[24]

III. Summary of SIP Revision and EPA Analysis

A. State Submission

On August 17, 2016, Maryland, through the Maryland Department of the Environment (MDE), submitted a SIP revision to satisfy the infrastructure requirements of CAA section 110(a)(2) for the 2010 SO_2 NAAQS. In Maryland's August 17, 2016, SIP submittal, MDE discusses various State and Federal measures which it asserts prohibit Maryland sources from emitting SO_2 at levels which would contribute significantly to nonattainment or interfere with maintenance of the SO_2 NAAQS in another State, including: (1) the Healthy Air Act (HAA), which was enacted in 2006, as well as its implementing regulations at Code of Maryland Regulations (COMAR) 26.11.27 (adopted into Maryland's SIP in 2008),[25] which require reductions in total emissions of SO_2 from electric generating units (EGUs); (2) a July 11, 2013, consent decree between Holcim, Incorporated and the EPA which requires Holcim to replace units at its Hagerstown, Maryland facility and install controls with significant SO_2 reductions; [26] and (3) the State's Regional Haze SIP, approved by the EPA on July 6, 2012,[27] which reduces SO_2 from Maryland sources subject to Best Available Retrofit Technology (BART) requirements.

Maryland also considered four existing SO_2 nonattainment areas in Pennsylvania, West Virginia, and Ohio, as well as one area in Ohio that was not yet characterized at the time of Maryland's August 17, 2016, submittal but that Maryland considered a potential nonattainment area. Maryland determined that the distance from Maryland State borders to the existing nonattainment areas or to the potential nonattainment area was beyond the range of concern for transported SO_2 emissions. Likewise, Maryland considered a potential nonattainment area in the State that had not yet been characterized but determined that the distance (39 miles or approximately 63 km) from the large SO_2 sources in that area to a neighboring state was also beyond the range of concern for SO_2 transport.

B. The EPA's Evaluation Methodology

For this CAA section 110 (a)(2)(D)(i)(I) evaluation of the 2010 SO_2 NAAQS, the EPA conducted separate WOE analyses for Prongs 1 and 2 and evaluated available information such as air quality, emission sources, modeling and emission trends in Maryland and in the States that border Maryland.[28] To identify which sources and emissions activities in Maryland could potentially impact downwind air quality in other states with respect to the 2010 1-hour SO_2 NAAQS, the EPA used information in the EPA's National Emissions Inventory (NEI) [29] and Emissions Inventory System (EIS).[30] The NEI is a comprehensive and detailed estimate of air emissions for criteria pollutants, criteria pollutant precursors, and hazardous air pollutants from air emissions sources, updated every three years using information provided by the States and other information available to the EPA. For our analyses, we largely relied on data from the 2020 NEI, because it is the most recently available, complete, and quality assured dataset. However, in evaluating emissions trends, both state-wide and at the facility level, the EPA also considered data from prior NEI reports and more recent EIS queries, as part of the overall WOE analysis.

As shown in Table 1 in this document, the majority of SO_2 emissions in Maryland originate from point sources. In 2020, total SO_2 emissions from point sources in Maryland comprised approximately 92 percent of the total SO_2 emissions in the State. Non-point, on road, and non-road emissions sources are individually much smaller and also more dispersed throughout the State and are therefore unlikely to contribute to high ambient concentrations when compared to point source contributions. Due to source retirements since 2020,[31] there are only four point source facilities in Maryland with reported emissions greater than 100 tpy as of 2023: Holcim, Inc. Cement Plant, Raven Power Fort Smallwood [32] (Brandon Shores Generating Station and Herbert A. Wagner Generating Station), Wheelabrator Baltimore Municipal Waste Combustor, and AES Warrior Run Generating Station. Based on these data, the EPA focused its WOE analysis on SO_2 emissions from Maryland's larger point sources (*i.e.,* point sources emitting over 100 tpy of SO_2) that are located within 50 km of one or more of the State's borders.

TABLE 1—SUMMARY OF 2020 SO_2 EMISSIONS IN MARYLAND BY SOURCE CATEGORY

Category	2020 Emissions (tpy)	Percent of total SO_2 emissions
Point	4,272	92

[24] *Cf. Genon Rema* v. *EPA,* 722 F.3d 513 (3d Cir. 2013) (upholding EPA grant of CAA section 126(b) petition and establishment of direct Federal emissions control requirements on SO_2 source in Pennsylvania found to be significantly contributing to nonattainment and interfering with maintenance of the 2010 SO_2 NAAQS in New Jersey).

[25] *See* 73 FR 51599 (September 4, 2008).

[26] The consent decree required Holcim to: (1) convert its kiln to a preheater/precalciner kiln configuration; (2) install and continuously operate a Lime Injection System for the control of SO_2 emissions; (3) comply with an SO_2 30-day rolling average emission rate limit of 1.6 lbs/ton; and (4) comply with an SO_2 12-month rolling total emission tonnage limit of 655 tons.

[27] *See* 77 FR 39938 (July 6, 2012).

[28] In *North Carolina* v. *EPA,* 531 F.3d at 910–911 (D.C. Cir. 2008), the D.C. Circuit explained that the regulating authority must give Prong 2 ''independent significance'' from Prong 1 by evaluating the impact of upwind State emissions on downwind areas that, while currently in attainment, are at risk of future nonattainment.

[29] EPA's NEI is available and accessible to the public at *https://www.epa.gov/air-emissions-inventories/national-emissions-inventory.*

[30] The EIS is EPA's database used to receive and store emissions data and generate emissions inventories. The EIS Gateway is a web-based tool developed to provide only registered EPA, State, local and Tribal users with access to emission inventory data for sources in their jurisdiction.

[31] *See* EPA's TSD for a more detailed discussion.

[32] Raven Power Fort Smallwood is a subsidiary of Talen Energy.

TABLE 1—SUMMARY OF 2020 SO_2 EMISSIONS IN MARYLAND BY SOURCE CATEGORY—Continued

Category	2020 Emissions (tpy)	Percent of total SO_2 emissions
Nonpoint	194	4
On road	159	3
Nonroad	11	<1
SO_2 Emissions Total	4,636	100

As described in this section III, the EPA proposes that an assessment of Maryland's satisfaction of the Prongs 1 and 2 requirements under CAA section 110(a)(2)(D)(i)(I) for the 2010 1-hour SO_2 NAAQS may be reasonably based upon several factors. These factors include evaluation of the predicted downwind impacts projected in previous relevant modeling studies for the source and nearby areas, assessment of Maryland's SO_2 point source emissions of more than 100 tpy of SO_2 per facility that are located within approximately 50 km of another state, assessment of other states' point sources emitting more than 100 tpy of SO_2 located within approximately 50 km of Maryland, and assessment of Federal regulations and SIP-approved regulations affecting Maryland's SO_2 sources. The EPA's evaluation is informed by all available data at the time of this rulemaking.[33]

The EPA notes that if this information were insufficient to draw a reasonable conclusion concerning whether Maryland is ''significantly contributing'' or not, then it would not be possible to propose approval based only on this information. In other words, in general, the absence of information concerning whether interstate transport is occurring is not in itself sufficient justification for approving a CAA good neighbor SIP submission. For example, if there were inadequate monitoring or modeling information to characterize the effects of a large, near-border source of SO_2 emissions, it may be appropriate to conduct, or request the State to conduct, further analysis to better characterize the source and its effects, in order to determine whether the good neighbor provision is being met.[34] In this case, the information available to the EPA, as analyzed in the accompanying TSD and summarized below, is fully sufficient to conclude that Maryland is not and will not emit SO_2 pollution in violation of the good neighbor provision for the 2010 SO_2 NAAQS.

1. The EPA's Prong 1 Evaluation—Contribute Significantly to Nonattainment

Prong 1 of the CAA good neighbor provision requires states' plans to prohibit emissions that will contribute significantly to nonattainment of the NAAQS in another state. The EPA's evaluation [35] of whether Maryland has met its Prong 1 transport obligations was accomplished by considering all available information, including the following: SO_2 ambient air quality in Maryland and neighboring states; SO_2 emissions trends for Maryland; potential ambient impacts of SO_2 emissions from certain facilities [36] in Maryland on neighboring states; Maryland's SIP-approved regulations specific to SO_2 emissions and permit requirements; and other SIP-approved or federally enforceable regulations which may reduce SO_2 emissions either directly or indirectly.

Based on the EPA's analysis, we propose to determine that there are no SO_2 nonattainment issues in the relevant areas in other States bordering Maryland. Accordingly, the EPA proposes to determine that Maryland's SIP satisfies the requirements of Prong 1 of CAA section 110(a)(2)(D)(i)(I). This proposed determination is based on the following considerations:

- There are no monitors recording violations of the 2010 1-hour SO_2 NAAQS located in Maryland, including within 50 km of its border. Additionally, all monitors outside of Maryland within 50 km of the Maryland border have design values (DV) [37] that are below 10 ppb (much lower than the 75 ppb SO_2 NAAQS). Current DVs for Maryland's SO_2 monitors within 50 km of another State's border have remained below the 2010 1-hour SO_2 NAAQS from 2020–2023; similarly, SO_2 monitors in neighboring States (Delaware, District of Columbia, Virginia, and West Virginia) within 50 km of Maryland have 2024 DVs (2022–2024) below the 2010 1-hour SO_2 NAAQS;
- Downward SO_2 emissions trends in Maryland and its surrounding States (Pennsylvania, Washington DC, West Virginia, Virginia, Delaware);
- A source-specific analysis of every Maryland 100 tpy SO_2 source located within 50 km of the State border indicates that the sources do not contribute to nonattainment in other states. These analyses draw upon available emissions data, monitoring data, air quality modeling, controls, wind rose data, and other relevant information to assess the likelihood of air quality impacts from these sources to areas in surrounding states. A detailed discussion of each source-specific analysis is contained in section IV.B.1 of the TSD accompanying this action. Below is some of the principal evidence that confirms that emissions from Maryland do not contribute to nonattainment in other states.
- The wind rose data from the meteorological station east of Holcim, Inc. Cement Plant in Hagerstown, MD indicates winds primarily from the west and north-northwest, which would generally keep the facility's SO_2 emissions within the State of Maryland. Holcim SO_2 emissions have remained relatively steady between 300–400 tpy since the implementation of a 2013 Consent Decree which required Holcim to replace units at its Hagerstown, Maryland facility, install controls with significant SO_2 reductions, and comply with an SO_2 12-month rolling total emission tonnage limit of 655 tons. Additionally, there are no other large

[33] The EPA notes that the evaluation of other states' satisfaction of CAA section 110(a)(2)(D)(i)(I) for the 2010 1-hour SO_2 NAAQS can be informed by similar factors found in this proposed rulemaking but may not be identical to the approach taken in this or any future rulemaking for Maryland, depending on available information and state-specific circumstances.

[34] *See, e.g.,* 88 FR 41344 (June 26, 2023) Proposing approval of Tennessee SO_2 transport SIP submission based on updated modeling conducted to better characterize emissions from the Eastman Chemical facility.

[35] A detailed review of the EPA's evaluation of emissions, air monitoring data, other technical information, and rationale for proposed approval of this SIP revision as meeting CAA section 110(a)(2)(D)(i)(I) for the 2010 1-hour SO_2 NAAQS may be found in the TSD.

[36] The physical properties of SO_2 result in relatively localized pollutant impacts near the emissions source. Therefore, the EPA selected a spatial scale with dimensions up to 50 km from point sources.

[37] The design value is the 3-year average of the 99th percentile 1-hour daily maximums at a monitor. A control strategy should be designed to bring the value to attainment of the standard.

sources nearby on either side of the Maryland-Pennsylvania border. This indicates that emissions from Holcim, Inc. will not significantly contribute to nonattainment, or interfere with maintenance, of the 2010 SO_2 NAAQS in any other state.

- The shutdown of Verso Luke LLC's Luke Mill Facility in 2020. Additionally, the now retired monitors in the vicinity of the Luke Mill Facility in Allegany County, Maryland, and Mineral County, West Virginia recorded hourly values of less than 5 ppb during the period of June 2019–May 2020, while the monitors were still operating but after the Luke Mill Facility shutdown.[38]
- The EPA issued a clean data determination for the Baltimore-Anne Arundel SO_2 nonattainment area based on the EPA-prepared air dispersion modeling of 2019–2021 SO_2 emissions from Wheelabrator Baltimore Municipal Waste Combustor, CP Crane Generating Station, Wagner and Brandon Shores Generating Stations (87 FR 66086, November 2, 2022). In that same rule, SO_2 emission limitations for Brandon Shores, Wagner, and CP Crane were incorporated into the SIP.
- AES Warrior Run's emissions have been steady since 2008 and there are no other sources of SO_2 emissions that emit over 2 tpy within 50 km. Also, the predominant wind direction would either blow emissions from AES Warrior into Maryland, or South towards Mineral County, WV where a monitor approximately 30 km away has historically operated with values of less than 6 ppb. A comparison of emission limits and stack parameters to another coal-fired EGU indicates AES Warrior Run will not significantly contribute to nonattainment, or interfere with maintenance, of the 2010 SO_2 NAAQS in any other state.
- There are SIP-approved and Federal emissions control regulations within Maryland that will continue to ensure that SO_2 emissions will be effectively controlled for existing and new sources or modifications.

[38] The EPA originally proposed to disapprove the interstate transport portion of Maryland's SO_2 infrastructure SIP submission because that portion did not contain adequate provisions prohibiting SO_2 emissions from stationary sources in Maryland which were contributing significantly to nonattainment with, or interfering with maintenance of, the 2010 SO_2 NAAQS in another state. Specifically, EPA identified the Verso Luke Paper Mill as the source contributing to violations of the SO_2 NAAQS in West Virginia, based on ambient monitoring data from 2017 to 2019. *See* 85 FR 22381 (April 22, 2020). However, once Verso Luke LLC retired their permits for the Luke Mill Facility, the EPA withdrew the proposal to consider the new information. *See* June 30, 2020 (85 FR 39145).

Based on this evaluation, as more thoroughly discussed in our TSD for this action, the EPA proposes to find that sources within Maryland will not significantly contribute to nonattainment of the 2010 1-hour SO_2 NAAQS in any other state.

2. The EPA's Prong 2 Evaluation—Interference With Maintenance

Prong 2 of the CAA good neighbor provision requires State plans to prohibit emissions that will interfere with maintenance of a NAAQS in another state. The EPA's evaluation of whether Maryland has met its Prong 2 transport obligations was accomplished by considering all available information, with a focus on current air quality data, SO_2 emissions trends for Maryland and neighboring States, and how existing and future sources of SO_2 are addressed through existing SIP-approved and federally enforceable regulations. This evaluation builds upon the analysis conducted for significant contribution to nonattainment (Prong 1), which evaluated SO_2 ambient air quality in Maryland and neighboring states and potential ambient impacts of SO_2 emissions from certain facilities in Maryland on neighboring states.

Based on the EPA's analysis, we propose to find that SO_2 levels in neighboring states near the Maryland border indicate that those states would be able to maintain the SO_2 NAAQS. Accordingly, the EPA proposes to determine that Maryland's SIP satisfies the requirements of Prong 2 of CAA section 110(a)(2)(D)(i)(I). This determination is based on the following considerations:

- Current 2022–2024 DVs for SO_2 monitors in Maryland within 50 km of another state's border and in neighboring states (Pennsylvania, District of Columbia, Delaware, West Virginia, and Virginia) within 50 km of Maryland's border are well below the standard, indicating that these areas are all currently in attainment of the 2010 1-hour SO_2 NAAQS;
- State-wide emissions trends in Maryland and surrounding states indicate declining SO_2 emissions and consequently declining ambient air concentrations in the relevant areas;
- Source-specific analyses show that facility-level emissions generally are decreasing as a result of emissions unit shutdowns and control technology installation, indicating that emissions are not anticipated to increase relative to baseline emissions;
- Current Maryland statutes, SIP-approved measures, and Federal emissions control programs control SO_2 emissions from certain sources within Maryland; and
- Maryland's SIP-approved Prevention of Significant Deterioration (PSD), major New Source Review (NSR) regulations and minor source NSR permit programs address future new and modified SO_2 sources above major and minor permitting thresholds with the intent of ensuring that the SO_2 NAAQS will not be exceeded as a result of new facility construction or existing facility modification within the State or in surrounding states.[39]

Based on this evaluation, as more thoroughly discussed in our TSD for this action, the EPA proposes to find that sources within Maryland will not interfere with maintenance of the 2010 1-hour SO_2 NAAQS in any other state.

IV. Proposed Action

The EPA is proposing to approve the Prongs 1 and 2 portions of the infrastructure SIP submission submitted by the State of Maryland on August 17, 2016, addressing interstate transport for the 2010 1-hour SO_2 NAAQS. Based on the EPA's WOE analysis and as more thoroughly discussed in the TSD, the EPA proposes to determine that emissions from Maryland will not contribute significantly to nonattainment in, or interfere with maintenance by, any other state with respect to the 2010 SO_2 NAAQS. We therefore propose to find that Maryland's SIP contains adequate provisions consistent with CAA section 110(a)(2)(D)(i)(I).

The EPA is soliciting public comments on the issues discussed in this document. These comments will be considered before taking final action.

[39] EPA notes that in the context of evaluating transport for other NAAQS pollutants, such as ozone, the effects of existing emissions control measures are taken into account in Step 1 and Step 2 of its 4-step framework through its nationwide analytical methodology that relies on photochemical grid modeling and source attribution techniques. Thus, in that context, once a state is identified as ''linked'' at Step 2, reliance on existing control measures is considered insufficient, since such measures have already been taken into account in the modeling. Here, without the benefit of such modeling, a state's existing control programs that have been approved into its SIP can have some relevance insofar as they provide confidence that sources subject to such requirements are not authorized to emit in excess of such requirements. However, without further, more detailed information concerning how these requirements function to constrain emissions at the particular existing (or potential new) sources of relevance to an SO_2 transport analysis, the EPA considers general information concerning a state's approved programs to be of only minimal relevance or utility.

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

Amy Van Blarcom-Lackey,

Regional Administrator, Region III.

[FR Doc. 2026–24042 Filed 11–25–26; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R08–OAR–2026–4555; FRL–13661–01–R8]

Air Plan Approval; Utah; Cache County Inspection and Maintenance Program Revision

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The U.S. Environmental Protection Agency (EPA) is proposing to approve State Implementation Plan (SIP) revisions submitted by the State of Utah on February 28, 2025. The Utah submittal includes revisions to the State's Administrative Rule R307–110–36, concerning SIP Section X Vehicle Inspection and Maintenance (I/M) Program, Part F, Cache County. These revisions updated the rule effectiveness date, updated the definition of vehicle I/M program stations, added emergency vehicle exemptions, and added a part unavailability waiver to the Cache County, Utah I/M program.

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

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R08–OAR–2026–4555, to the Federal Rulemaking Portal: *https://www.regulations.gov.* Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *https://www.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.*

Docket: All documents in the docket are listed in the *https://www.regulations.gov* index. Although listed in the index, some information is not publicly available, *e.g.,* CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available electronically in *https://www.regulations.gov.* Please email or call the person listed in the **FOR FURTHER INFORMATION CONTACT** section if you need to make alternative arrangements for access to the docket.

FOR FURTHER INFORMATION CONTACT: Gregory Lohrke, Air and Radiation Division, EPA, Region 8, Mailcode 8ARD–IO, 1595 Wynkoop Street, Denver, Colorado 80202–1129; telephone number: (303) 312–6396; email address: *lohrke.gregory@epa.gov.*

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

APA Administrative Procedure Act
BRHD Bear River Health Department
CAA Clean Air Act
CBI Confidential Business Information
CFR Code of Federal Regulations
EVFM Emergency Vehicle Field Modification
EPA U.S. Environmental Protection Agency
FR Federal Register
I/M Inspection and Maintenance
IBR Incorporation by Reference
NAA Nonattainment Area
NAAQS National Ambient Air Quality Standards
NOX Nitrogen Oxides
PM Particulate Matter
PM2.5 Fine Particulate Matter
SIP State Implementation Plan
UAQB Utah Air Quality Board
VOC Volatile Organic Compounds

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A. What action is the EPA taking?