

Original amendment submission date	Date of final publication	Citation/description
March 13, 2012	4/12/2022	25 Pa. Code 287.1 (Residual Waste Management-General Provisions), 290.1, 290.101, 290.103, 290.104, 290.107, 290.201, 290.202, 290.203, 290.301, 290.302, 290.303, 290.304, 290.305, 290.306, 290.307 (Beneficial Use of Coal Ash).

[FR Doc. 2022-07660 Filed 4-11-22; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R08-OAR-2021-0678; FRL-9299-02-R8]

### Air Plan Approval; Montana; 2015 Ozone NAAQS Interstate Transport Requirements

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is approving a revision submitted by the State of Montana as meeting the Clean Air Act (CAA) requirement that each State Implementation Plan (SIP) contain adequate provisions to prohibit emissions that will significantly contribute to nonattainment or interfere with maintenance of the 2015 ozone National Ambient Air Quality Standards (NAAQS) in any other state. EPA is taking this action pursuant to the CAA. **DATES:** This rule is effective on May 12, 2022.

**ADDRESSES:** EPA has established a docket for this action under Docket ID No. EPA-R08-OAR-2021-0678. All documents in the docket are listed on the <http://www.regulations.gov> website. 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, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available through <http://www.regulations.gov>, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information.

**FOR FURTHER INFORMATION CONTACT:** Ellen Schmitt, Air and Radiation Division, EPA, Region 8, Mailcode 8ARD-IO, 1595 Wynkoop Street, Denver, Colorado 80202-1129,

telephone number: (303) 312-6728, email address: [schmitt.ellen@epa.gov](mailto:schmitt.ellen@epa.gov).

#### SUPPLEMENTARY INFORMATION:

Throughout this document “we,” “us,” and “our” means EPA.

#### I. Background

On February 3, 2022 (87 FR 6095), EPA published a document in the **Federal Register** proposing approval of the interstate transport portion of the State of Montana’s October 1, 2018 SIP revision. EPA’s proposed approval addressed the CAA requirement prohibiting air emissions from the State that significantly contribute to nonattainment or interfere with maintenance of the 2015 8-hour ozone NAAQS in other states. See CAA section 110(a)(2)(D)(i)(I) (the “good neighbor provision”). The rationale for EPA’s proposed action is given in the February 3, 2022 proposal and will not be repeated here. EPA received no public comments on the proposal for this rulemaking.

#### II. Final Action

EPA is approving the good neighbor portion of the State’s October 1, 2018 SIP revision into the Montana SIP. This revision is approved as meeting CAA section 110(a)(2)(D)(i)(I) requirements that Montana’s SIP includes adequate provisions prohibiting any source or other type of emissions activity within the state from emitting any air pollutant in amounts that will contribute significantly to nonattainment or interfere with maintenance of the 2015 ozone NAAQS in any other state.

#### III. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA’s role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely 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 Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
  - 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, 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 an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
  - Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
  - 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; and
  - Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).
- In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).
- The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides

that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by June 13, 2022. Filing a petition for reconsideration by the

Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements (see section 307(b)(2)).

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: April 2, 2022.

KC Becker,

Regional Administrator, Region 8.

40 CFR part 52 is amended as follows:

#### PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

■ 1. The authority citation for part 52 continues to read as follows:

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

#### Subpart BB—Montana

■ 2. In § 52.1370, the table in paragraph (e) is amended under “Statewide” by adding the entry “Interstate Transport Requirements of the CAA, section 110(a)(2)(D)(i)(I), for the 2015 Ozone NAAQS” after the entry for “Montana regional haze 5-year progress report” to read as follows:

#### § 52.1370 Identification of plan.

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(e) \* \* \*

Title/subject	State effective date	Notice of final rule date	NFR citation
(1) Statewide			
* * *	* * *	* * *	* * *
Interstate Transport Requirements of the CAA, section 110(a)(2)(D)(i)(I), for the 2015 Ozone NAAQS.	N/A	April 12, 2022	[insert <b>Federal Register</b> citation]
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[FR Doc. 2022–07406 Filed 4–11–22; 8:45 am]

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#### FEDERAL COMMUNICATIONS COMMISSION

#### 47 CFR Part 2

[ET Docket No. 20–382; FCC 21–72; FR ID 80780]

#### Allowing Earlier Equipment Marketing and Importation Opportunities

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; announcement of effective date.

**SUMMARY:** The Federal Communications Commission (Commission) announces that the Office of Management and Budget (OMB) has approved, for a period of three years, the new information collection associated with the Commission’s *Allowing Earlier Equipment Marketing and Importation Opportunities*, Report and Order. This document is consistent with the *Report and Order*, which stated that the Commission would publish a document in the **Federal Register** announcing

OMB approval and the effective date of the rules related to the information collection. The Commission also corrects a cross reference in the regulatory text.

**DATES:** The amendments to 47 CFR 2.803(c)(2)(i) and 2.1204(a)(11) published at 86 FR 52088, September 20, 2021, are effective April 12, 2022. The amendment to 47 CFR 2.803(c)(2)(i)(D) in this document is effective April 12, 2022.

**FOR FURTHER INFORMATION CONTACT:** Jamie Coleman, Office of Engineering and Technology Bureau, at (202) 418–2705, or email: [Jamie.Coleman@fcc.gov](mailto:Jamie.Coleman@fcc.gov).

For additional information concerning the Paperwork Reduction Act information collection requirements, contact Nicole Ongele at (202) 418–2991 or [nicole.ongele@fcc.gov](mailto:nicole.ongele@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This document announces that, on March 10, 2022, OMB approved, for a period of three years, the information collection requirements relating to the marketing of radio frequency devices prior to equipment authorization and import conditions rules contained in the Commission’s *Allowing Earlier Equipment Marketing and Importation*

*Opportunities*, Report and Order, FCC 21–72 (86 FR 52088, September 20, 2021). The OMB Control Number is 3060–0773. The Commission publishes this document as an announcement of the effective date of the information collection requirements provided at 47 CFR 2.803(c)(2)(i) and 2.1204(a)(11).

#### Synopsis

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the FCC is notifying the public that it received final OMB approval on March 10, 2022, for the information collection requirements contained in the Commission’s rules in 47 CFR part 2.

Under 5 CFR part 1320, an agency may not conduct or sponsor a collection of information unless it displays a current, valid OMB Control Number.

No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act that does not display a current, valid OMB Control Number. The OMB Control Number is 3060–0773.

The foregoing notification is required by the Paperwork Reduction Act of 1995, Public Law 104–13, October 1, 1995, and 44 U.S.C. 3507.