

extending from 6.3-mile radius to 10.5 miles (decreased from 11.2 miles) northwest of the airport. Also, due to a recent change to FAA Order 7400.2L, Procedures for Handling Airspace Matters, dated October 12, 2017, the name of the city associated with the airport is removed from the airspace designation.

Controlled airspace is necessary for the safety and management of Standard Instrument Approach Procedures (SIAPs) for IFR operations at this airport.

Class D and E airspace designations are published in paragraph 5000, 6002, and 6005, respectively, of FAA Order 7400.11B, dated August 3, 2017, and effective September 15, 2017, which is incorporated by reference in 14 CFR 71.1. The Class D and E airspace designations listed in this document will be published subsequently in the Order.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial and unlikely to result in adverse or negative comments. It, therefore: (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, "Environmental Impacts: Policies and Procedures" prior to any FAA final regulatory action.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.11B, Airspace Designations and Reporting Points, dated August 3, 2017, and effective September 15, 2017, is amended as follows:

Paragraph 5000 Class D Airspace.

* * * * *

ASW TX D Austin, TX [New]

Austin Executive Airport, TX
(Lat. 30°23'51" N, long. 97°33'59" W)

That airspace extending upward from the surface to and including 3,000 feet MSL within a 4.1-mile radius of Austin Executive Airport. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

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Paragraph 6002 Class E Surface Area Airspace.

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ASW TX E2 Austin, TX [New]

Austin Executive Airport, TX
(Lat. 30°23'51" N, long. 97°33'59" W)

That airspace within a 4.1-mile radius of Austin Executive Airport. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

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Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.

* * * * *

ASW TX E5 Austin, TX [Amended]

Point of Origin
(Lat. 30°17'55" N, long. 97°42'06" W)

Lakeway Airpark, TX
(Lat. 30°21'27" N, long. 97°59'40" W)

Austin Executive Airport, TX
(Lat. 30°23'51" N, long. 97°33'59" W)

Lago Vista-Rusty Allen Airport, TX
(30°29'55" N, long. 97°58'59" W)

That airspace extending upward from 700 feet above the surface within a 14-mile radius of the Point of Origin, and within a 6.4-mile radius of Lakeway Airpark, and within a 6.4-mile radius of Lago Vista-Rusty Allen Airport, and within a 6.3-mile radius of Austin Executive Airport, and within 2 miles each side of the 131° bearing from Austin

Executive Airport extending from the 6.3-mile radius to 11.3 miles southeast of the airport, and within 2 miles each side of the 311° bearing from Austin Executive Airport extending from the 6.3-mile radius to 10.5 miles northwest of the airport.

Issued in Fort Worth, Texas, on January 23, 2018.

Christopher L. Southerland,
*Acting Manager, Operations Support Group,
ATO Central Service Center.*

[FR Doc. 2018–01796 Filed 1–31–18; 8:45 am]

BILLING CODE 4910–13–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R08–OAR–2017–0753; FRL–9973–45–Region 8]

Approval and Promulgation of Air Quality Implementation Plans; State of Colorado; Revisions to the Transportation Conformity Consultation Process

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve a State Implementation Plan (SIP) revision submitted by Colorado on May 16, 2017. The May 16, 2017 SIP revision addresses minor changes and typographical corrections to the transportation conformity requirements of Colorado's Regulation Number 10 "Criteria for Analysis of Conformity." These actions are being taken under section 110 of the Clean Air Act.

DATES: Written comments must be received on or before March 5, 2018.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R08–OAR–2017–0753 at <https://www.regulations.gov>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from

www.regulations.gov. The EPA may publish any comment received to the public docket. Do not submit electronically 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: Tim Russ, Air Program, U.S. Environmental Protection Agency, Region 8, Mailcode 8P-AR, 1595 Wynkoop Street, Denver, Colorado 80202-1129, (303) 312-6479, or russ.tim@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

What should I consider as I prepare my comments for the EPA?

a. *Submitting CBI.* Do not submit CBI to the EPA through www.regulations.gov or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD ROM that you mail to the EPA, mark the outside of the disk or CD ROM as CBI and then identify electronically within the disk or CD ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

b. *Tips for Preparing Your Comments.* When submitting comments, remember to:

1. Identify the rulemaking by docket number and other identifying information (subject heading, **Federal Register** date and page number).
2. Follow directions—The agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.
3. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.
4. Describe any assumptions and provide any technical information and/or data that you used.
5. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.
6. Provide specific examples to illustrate your concerns, and suggest alternatives.
7. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.

8. Make sure to submit your comments by the comment period deadline identified.

II. Background

The EPA is proposing approval of minor revisions to Colorado's Regulation Number 10 which is entitled "Criteria for Analysis of Conformity" (hereafter, "Regulation No. 10"). We note the most recent prior SIP revisions to Regulation No. 10, that we approved, occurred on March 4, 2014 (79 FR 12079).

The purpose of Regulation No. 10 is to address the transportation conformity SIP requirements of section 176(c) of the Clean Air Act (CAA) and 40 CFR 51.390(b). In addition, Regulation No. 10 also addresses the following transportation conformity SIP element requirements; 40 CFR 93.105 which formalizes the consultation procedures; 40 CFR 93.122(a)(4)(ii) which addresses written commitments to control measures that are not included in a Metropolitan Planning Organization's (MPOs) transportation plan and transportation improvement program that must be obtained prior to a conformity determination; and 40 CFR 93.125(c) which addresses written commitments to mitigation measures that must be obtained prior to a project-level conformity determination.¹

III. What was the State's process to submit a SIP revision to the EPA?

Section 110(k) of the CAA addresses our actions on submissions of revisions to a SIP. The CAA requires states to observe certain procedural requirements in developing SIP revisions for submittal to the EPA. Section 110(a)(2) of the CAA requires that each SIP revision be adopted after reasonable notice and public hearing. This must occur prior to the revision being submitted by a state.

For the May 16, 2017 revisions to Regulation No. 10, the Colorado Air Quality Control Commission (AQCC) held a public hearing for those revisions on February 18, 2016. There were no public comments. The AQCC adopted the revisions to Regulation No. 10 directly after the hearing. This SIP revision became state effective on March 30, 2016 and was submitted by Dr. Larry

¹ A conformity SIP includes a state's specific criteria and procedures for certain aspects of the transportation conformity process consistent with the federal conformity rule. A conformity SIP does not contain motor vehicle emissions budgets, emissions inventories, air quality demonstrations, or control measures. See EPA's *Guidance for Developing Transportation Conformity State Implementation Plans (SIPs)* for further background: <https://nepis.epa.gov/Exe/ZyPDF.cgi/P1002W5B.PDF?Dockey=P1002W5B.PDF>.

Wolk, Executive Director of the Colorado Department of Public Health and Environment (CDPHE), and on behalf of the Governor, to the EPA on May 16, 2017.

We have evaluated the State's May 16, 2017 submittal for Regulation No. 10 and have determined that the State met the requirements for reasonable notice and public hearing under section 110(a)(2) of the CAA. By operation of law under section 110(k)(1)(B) of the CAA, the State's May 16, 2017 submittal was deemed complete by the EPA on November 25, 2017.

IV. EPA's Evaluation of the State's May 16, 2017 Submittal

The EPA has reviewed the revisions to Regulation No. 10 that were submitted by the State on May 16, 2017 and we are proposing to approve these revisions. We reviewed the State's submittal to assure consistency with the transportation conformity requirements in 40 CFR 51.390(b), that establish the requirements for conformity consultation SIPs and to the transportation conformity requirements in 40 CFR 93.105, 93.122(a)(4)(ii) and 93.125(c).^{2,3} We also consulted our document "Guidance for Developing Transportation Conformity State Implementation Plans (SIPs)," EPA-420-B-09-001, dated January 2009.⁴

Our review regarding the revisions to Regulation No. 10 included the following:

(a) The Title to Regulation No. 10. The revisions to the title included typographic changes to the title such as capitalization, use of lower case letters to remove capitalization of particular words and inclusion of a sentence regarding the editor's notes at the end of the regulation. Except for the addition of the sentence regarding the editor's notes, we otherwise note that only typographic changes were performed and no words or terms were added or deleted.

(b) Section II. "Definitions." The EPA has reviewed and finds acceptable the revisions and clarifications that the state made to the definition of "Routine Conformity Determination." These revisions to Regulation No. 10 were designed to streamline the transportation conformity process by allowing the CDPHE to provide concurrence for a wider range of routine

² "40 CFR 93 Transportation Conformity Rule PM_{2.5} and PM₁₀ Amendments; Final Rule," March 24, 2010, 75 FR 14260.

³ "40 CFR 93 Transportation Conformity Rule Restructuring Amendments; Final Rule," March 14, 2012, 77 FR 14979.

⁴ See: <http://www.epa.gov/otaq/stateresources/transconf/policy/420b09001.pdf>

transportation conformity determinations without the need for a public hearing before the AQCC. This change to the routine conformity determination definition will reduce the burden on the AQCC, the CDPHE and transportation MPOs while continuing to ensure that air quality transportation conformity requirements are met. In addition, we note that the changes also include the provision that notwithstanding this general definition, the CDPHE or the AQCC may, at its discretion, request that any transportation conformity determination be reviewed by the AQCC. The EPA notes that such a review may also include a public hearing before the AQCC.

(c) Typographical corrections were made to the following sections: Section II, definition of *Review Team*; Section III, subsections III.A.2, III.A.3, III.B.1.a, III.C.1.b.(2), III.C.1.g and III.F.3.

(d) Section VI. “Statements of Basis, Specific Statutory Authority, and Purpose.” The EPA notes that the changes to this section VI in the State’s regulation merely provide information for the State regarding the SIP revision and are not necessary for an approvable Transportation Conformity Consultation SIP element whose purpose is to meet the requirements of CAA section 176(c)(4)(E) and 40 CFR 51.390. Therefore, the EPA is not taking any action on this section.

V. Summary of the EPA’s Proposed Action

For the reasons discussed in section IV above, and under CAA section 110(k)(3), the EPA is proposing to approve the Regulation No. 10 revisions to Section II to the definition of “*Routine Conformity Determination*.” In addition, we are proposing approval of the typographic corrections to the Regulation No. 10 title, to Section II and to the Section III subsections III.A.2, III.A.3, III.B.1.a, III.C.1.b.(2), III.C.1.g and III.F.3.

The EPA notes that revisions were also made to Colorado’s Regulation No. 10, section VI “Statements of Basis, Specific Statutory Authority, and Purpose”; however, the EPA is not taking any action on the revisions to this section. The revisions to section VI are only informational in nature for the State and do not require federal approval into the SIP.

VI. Consideration of Section 110(1) of the Clean Air Act

Under section 110(l) of the CAA, the EPA cannot approve a SIP revision if the revision would interfere with any applicable requirements concerning

attainment and Reasonable Further Progress toward attainment of the National Ambient Air Quality Standards (NAAQS), or any other applicable requirement of the CAA. The EPA proposes to determine that the portions of Regulation No. 10 that we are acting on are consistent with the applicable requirements of the CAA. Furthermore, these portions do not relax any previously approved SIP provision; thus they do not otherwise interfere with attainment and maintenance of the NAAQS. In addition, section 110(l) of the CAA requires that each revision to an implementation plan submitted by a state shall be adopted by the state after reasonable notice and opportunity for public hearing. On February 18, 2016, the AQCC held a public hearing and the AQCC adopted the revisions to Regulation No. 10 directly after the hearing. This SIP revision became state effective on March 30, 2016. Therefore, the CAA section 110(l) requirements are satisfied.

VII. Incorporation by Reference

In this rule, the EPA is proposing to include in a final EPA rule regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is proposing to incorporate by reference the approval of portions of Regulation No. 10 as submitted by the State of Colorado and as discussed above in section IV of this preamble. The EPA has made, and will continue to make, these materials generally available through www.regulations.gov and at the EPA Region 8 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

VIII. 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 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 proposed 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);

- Is not an Executive Order 13771 (82 FR 9339, February 2, 2017) regulatory action because SIP approvals are exempted 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 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 Clean Air Act; 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).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, and Volatile Organic Compounds.

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

Dated: January 24, 2018.

Debra H. Thomas,

Acting Regional Administrator, Region 8.

[FR Doc. 2018-01853 Filed 1-31-18; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R06-OAR-2015-0851; FRL-9973-16-Region 6]

Approval and Promulgation of Implementation Plans; Louisiana; Interstate Transport Requirements for the 2012 PM_{2.5} NAAQS

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: Pursuant to the Federal Clean Air Act (CAA or Act), the Environmental Protection Agency (EPA) is proposing to approve portions of the Louisiana State Implementation Plan (SIP) submittal and a technical supplement addressing the CAA requirement that SIPs address the potential for interstate transport of air pollution to significantly contribute to nonattainment or interfere with maintenance of the 2012 fine particulate matter (PM_{2.5}) National Ambient Air Quality Standards (NAAQS) in other states. EPA is proposing to determine that emissions from Louisiana sources do not contribute significantly to nonattainment in, or interfere with maintenance by, any other state with regard to the 2012 PM_{2.5} NAAQS.

DATES: Written comments must be received on or before March 5, 2018.

ADDRESSES: Submit your comments, identified by Docket Number EPA-R06-OAR-2015-0851, at <http://www.regulations.gov> or via email to fuerst.sherry@epa.gov. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.* on the web, cloud, or

other file sharing system). For additional submission methods, please contact Sherry Fuerst, 214-665-6454, fuerst.sherry@epa.gov. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <http://www2.epa.gov/dockets/commenting-epa-dockets>.

Docket: The index to the docket for this action is available electronically at www.regulations.gov and in hard copy at the EPA Region 6, 1445 Ross Avenue, Suite 700, Dallas, Texas. While all documents in the docket are listed in the index, some information may be publicly available only at the hard copy location (*e.g.*, copyrighted material), and some may not be publicly available at either location (*e.g.*, CBI).

FOR FURTHER INFORMATION CONTACT:

Sherry Fuerst, 214-665-6454, fuerst.sherry@epa.gov. To inspect the hard copy materials, please schedule an appointment with Ms. Fuerst or Mr. Bill Deese at 214-665-7253.

SUPPLEMENTARY INFORMATION:

Throughout this document wherever “we,” “us,” or “our” is used, we mean the EPA.

I. Background

A. The PM_{2.5} NAAQS and Interstate Transport of Air Pollution

Under section 109 of the CAA, we establish NAAQS to protect human health and public welfare. In 2012, we established a new annual NAAQS for PM_{2.5} of 12 micrograms per cubic meter (µg/m³), (78 FR 3085, January 15, 2013). The CAA requires states to submit, within three years after promulgation of a new or revised standard, SIPs meeting the applicable “infrastructure” elements of sections 110(a)(1) and (2). One of these applicable infrastructure elements, CAA section 110(a)(2)(D)(i), requires SIPs to contain provisions to prohibit certain adverse air quality effects on neighboring states due to interstate transport of pollution. There are four sub-elements within CAA section 110(a)(2)(D)(i). This action reviews how the first two sub-elements, contained in CAA section 110(a)(2)(D)(i)(I), were addressed in an infrastructure SIP submission from Louisiana for the 2012 PM_{2.5} NAAQS. These sub-elements require that each SIP for a new or revised NAAQS contain adequate provisions to prohibit any source or other type of emissions activity in one state that will “contribute significantly to nonattainment” or “interfere with maintenance” of the applicable air quality standard in any other state.

The EPA has addressed the interstate transport requirements of CAA section 110(a)(2)(D)(i)(I) with respect to PM_{2.5} in several past regulatory actions. In 2011, we promulgated the Cross-State Air Pollution Rule (CSAPR, 76 FR 48208, August 8, 2011) in order to address the obligations of states—and of the EPA when states have not met their obligations—under CAA section 110(a)(2)(D)(i)(I) to prohibit air pollution contributing significantly to nonattainment in, or interfering with maintenance by, any other state with regard to several NAAQS, including the 1997 annual and 2006 24-hour PM_{2.5} NAAQS.¹ In that rule, we considered states linked to downwind receptors if they were projected to contribute more than the threshold amount (1% of the standard) of PM_{2.5} pollution for the 1997 and 2006 PM_{2.5} NAAQS (76 FR 48208, 48239–43). The EPA has not established a threshold amount for the 2012 PM_{2.5} NAAQS. In 2016 we provided an informational memorandum (the memo) about the steps states should follow as they develop and review SIPs that address this provision of the CAA for the 2012 PM_{2.5} NAAQS.²

B. Louisiana SIP Submittal Pertaining to the 2012 PM_{2.5} NAAQS and Interstate Transport of Air Pollution

On December 11, 2015, Louisiana submitted a SIP revision to address the requirements of CAA section 110(a)(1) and (2) including a section to address the requirements of CAA section 110(a)(2)(D)(i)(I) for the 2012 PM_{2.5} NAAQS. The submittal stated that the State had adequate provisions to prohibit air pollutant emissions from within the State that significantly contribute to nonattainment or interfere with maintenance of the 2012 PM_{2.5} NAAQS stating, “Air quality modeling evaluating interstate transport for the 2006 PM_{2.5} supported the conclusion that Louisiana did not impact on either downwind nonattainment or maintenance receptors. The air quality modeling performed for the Transport Rule found that the impact was less than the 1 percent threshold (79 FR 4436, January 28, 2014). Currently Louisiana is in compliance with the new standard.” On July 7, 2017, the State submitted a letter to EPA serving

¹ Federal Implementation Plans; Interstate Transport of Fine Particulate Matter and Ozone and Correction of SIP Approvals, 76 FR 48207 (August 8, 2011) (codified as amended at 40 CFR 52.38 and 52.39 and 40 CFR part 97).

² Information on the Interstate Transport “Good Neighbor” Provision for the 2012 Fine Particulate Matter National Ambient Air Quality Standards under Clean Air Act Section 110(a)(2)(D)(i)(I) March 17, 2016 from Stephen D. Page.