statement containing the information required by the Unfunded Mandates Reform Act (2 U.S.C. 1531 *et seq.*) is not required.

E. Takings (E.O. 12630)

Under the criteria in Executive Order 12630, this rule does not affect individual property rights protected by the Fifth Amendment nor does it involve a compensable ''taking.'' A takings implication assessment is therefore not required.

F. Federalism (E.O. 13132)

Under the criteria in Executive Order 13132, this rule has no substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. This rule ensures notification to State and local governments of a BIA official's decision to take land into trust and the right to administratively appeal such decision. This rule also ensures notification to State and local governments of an AS–IA official's decision through publication in the **Federal Register**.

G. Civil Justice Reform (E.O. 12988)

This rule complies with the requirements of Executive Order 12988. Specifically, this rule has been reviewed to eliminate errors and ambiguity and written to minimize litigation; and is written in clear language and contains clear legal standards.

H. Consultation With Indian Tribes (E.O. 13175)

In accordance with the President's memorandum of April 29, 1994, ''Government-to-Government Relations with Native American Tribal Governments,'' Executive Order 13175 (59 FR 22951, November 6, 2000), and 512 DM 2, we have determined there are no potential effects on federally recognized Indian tribes and Indian trust assets.

I. Paperwork Reduction Act

This rule does not contain any information collections requiring approval under the Paperwork Reduction Act (PRA), 44 U.S.C. 3501 *et seq.*

J. National Environmental Policy Act

This rule does not constitute a major Federal action significantly affecting the quality of the human environment because it is of an administrative, technical, and procedural nature.

K. Effects on the Energy Supply (E.O. 13211)

This rule is not a significant energy action under the definition in Executive Order 13211. A Statement of Energy Effects is not required.

L. Determination To Issue Final Rule Without the Opportunity for Public Comment and With Immediate Effective Date

BIA is taking this action under its authority, at 5 U.S.C. 552, to publish regulations in the **Federal Register**. Under the Administrative Procedure Act, statutory procedures for agency rulemaking do not apply ''when the agency for good cause finds . . . that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.'' 5 U.S.C. 553(b)(3)(B). BIA finds that the notice and comment procedure are impracticable, unnecessary, or contrary to the public interest, because: (1) These amendments are non-substantive; and (2) the public benefits for timely notification of a change in the official agency address, and further delay is unnecessary and contrary to the public interest. Similarly because this final rule makes no substantive changes and merely reflects a change of address and updates to titles in the existing regulations, this final rule is not subject to the effective date limitation of 5 U.S.C. 553(d).

List of Subjects in 25 CFR Part 23

Administrative practice and procedures, Child welfare, Grant programs—Indians, Grant programs—social programs, Indians, Reporting and recordkeeping requirements.

For the reasons stated in the preamble, the Department of the Interior, Bureau of Indian Affairs, amends part 23 in Title 25 of the Code of Federal Regulations as follows:

PART 23—INDIAN CHILD WELFARE ACT

■ 1. The authority citation for part 23 continues to read as follows:

Authority: 5 U.S.C. 301; 25 U.S.C. 2, 9, 1901–1952.

■ 2. Throughout part 23, remove the word ''Area Director'' and ''Area Directors'' and add in their place the words ''Regional Director'' and ''Regional Directors'' respectively, wherever they appear.

■ 3. In § 23.11, revise paragraph (c)(1) to read as follows:

§ 23.11 Notice.

* * * * *

(c)(1) For proceedings in Alabama, Connecticut, Delaware, District of Columbia, Florida, Georgia, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, or any territory or possession of the United States, notices shall be sent to the following address: Eastern Regional Director, Bureau of Indian Affairs, 545 Marriott Drive, Suite 700, Nashville, Tennessee 37214.

* * * * *

Dated: May 1, 2014.

Kevin K. Washburn,

Assistant Secretary—Indian Affairs.

[FR Doc. 2014–10934 Filed 5–12–14; 8:45 am]

BILLING CODE 4310–W7–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R08–OAR–2012–0168; FRL–9756–5]

Approval and Promulgation of Air Quality Implementation Plans; Utah; Revisions to UAC Rule 401—Permit: New and Modified Sources

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking final action to approve State Implementation Plan revisions submitted by the State of Utah on April 17, 2008 and partially approve SIP revisions submitted by the State of Utah on September 15, 2006. The revisions contain new rules in Utah's Title 307 Rule 401 (Permit: New and Modified Sources). The intended effect of this action is to propose to approve the rules that are consistent with the Clean Air Act. This action is being taken under sections 110 and 112 of the Clean Air Act.

DATES: This final rule is effective June 12, 2014.

ADDRESSES: EPA has established a docket for this action under Docket ID No. EPA–R08–OAR–2012–0168. All documents in the docket are listed in the *www.regulations.gov* Web site. 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 either electronically in *www.regulations.gov* or in hard copy at the Air Program, Environmental Protection Agency (EPA), Region 8, 1595 Wynkoop Street, Denver, Colorado 80202–1129. EPA requests you contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section to view the hard copy of the docket. You may view the hard copy of the docket Monday through Friday, 8:00 a.m. to 4:00 p.m., excluding Federal holidays.

FOR FURTHER INFORMATION CONTACT: Kevin Leone, Air Program, Mailcode 8P–AR, Environmental Protection Agency, Region 8, 1595 Wynkoop Street, Denver, Colorado 80202–1129, (303) 312–6227, or *leone.kevin@epa.gov*.

SUPPLEMENTARY INFORMATION:

Table of Contents

Definitions

For the purpose of this document, we are giving meaning to certain words or initials as follows:

(i) The words or initials *Act* or *CAA* mean or refer to the Clean Air Act, unless the context indicates otherwise.

(ii) The words *EPA, we, us* or *our* mean or refer to the United States Environmental Protection Agency.

(iii) The initials *HAP* mean or refer to Hazardous Air Pollutant.

(iv) The initials *MACT* mean or refer to Maximum Achievable Control Technology.

(v) The initials *NAAQS* mean or refer to National Ambient Air Quality Standards.

(vi) The initials *NSR* mean or refer to New Source Review.

(vii) The initials *SIP* mean or refer to State Implementation Plan.

(viii) The words *State* or *Utah* mean the State of Utah, unless the context indicates otherwise.

(ix) The initials *UAC* mean or refer to the Utah Administrative Code.

I. What action is EPA taking?

A. Summary of Final Action

We are taking final action to approve the renumbering of R307–413–7 to R307–401–14 (Used Oil Fuel Burned for Energy Recovery) as submitted by the State of Utah on September 15, 2006; changes to the definition of ''Boiler'' in R307–401–14(1), as submitted by the State of Utah on April 17, 2008; and conditionally approve R307–401–15 and approve R307–401–16 as submitted on September 15, 2006.

EPA proposed an action for the above SIP revision submittals on June 25, 2012, (77 FR 37859.) We accepted comments from the public on this proposal from June 26, 2012, until July 25, 2012. EPA received no comments during the public comment period. In the proposed rule, we described our basis for the actions identified above. The reader should refer to the proposed rule, and sections III and IV of this preamble, for additional information regarding this final action.

EPA reviews a SIP revision submission for its compliance with the Act and EPA regulations. We evaluated the submitted SIP revisions for Utah's minor NSR regulations based upon the regulations and associated record that have been submitted and are currently before EPA. In order for EPA to ensure that Utah has regulations that meet the requirements of the CAA, the State must demonstrate the regulations are as stringent as the Act and the implementing regulations discussed in this notice. For example, EPA must have sufficient information to make a finding that the new regulations will ensure protection of the NAAQS, and noninterference with the Utah SIP control strategies, as required by section 110(l) of the Act.

II. Background

On September 20, 1999, the State of Utah submitted a renumbering and recodification of its Utah Administrative Code (UAC) rules within the Utah SIP. EPA took final action to approve portions of this submittal on February 14, 2006 (71 FR 7670). In that action EPA approved the recodification of R307–413–7 (Exemption from Notice of Intent Requirements for Used Oil Burned for Energy Recovery, previously found under R307–7–2 and 3). On September 15, 2006, the State of Utah again submitted a renumbering and recodification of its UAC rules within the Utah SIP which renumbered R307–413–7 to R307–401–14 (Used Oil Fuel Burned for Energy Recovery). We are taking final action to approve this renumbering in this action.

On April 17, 2008, the State of Utah submitted a revision to R307–401–14 which changed the definition of ''Boiler.'' We are taking final action to approve this definition change in this action.

On October 1, 1990, R307–6 (*De minimis* Emissions from Air Strippers and Soil Venting Projects) was approved into the Utah SIP. On August 14, 1998, EPA approved revisions to R307–6 (63 FR 43624). On January 8, 1999, Utah submitted substantive revisions to R307–6, which also renumbered R307–6 to R307–413–8 and R307–413–9. EPA did not act on this submittal. On September 15, 2006, Utah submitted revisions which moved R307–413–8 and R307–413–9 to R307–401–15 (Air Strippers and Soil Venting Projects) and R307–401–16 (De minimis Emissions from Soil Aeration Projects). Utah's January 8, 1999, submittal is superceded by the September 15, 2006, submittal. EPA is taking final action to conditionally approve R307–401–15 and approve R307–401–16 as submitted on September 15, 2006, in this action.

All other portions of the September 15, 2006, submittal not addressed in this action will be addressed at a later date.

III. What Are the Grounds for This Approval Action

In this final rulemaking, we are taking final action to approve the renumbering of R307–413–7 to R307–401–14 (Used Oil Fuel Burned for Energy Recovery) as submitted by the State of Utah on September 15, 2006, because this provision had been previously approved into the Utah SIP (71 FR 7670) and the revision does not contain substantive changes to the rule. We are also clarifying that R307–401–14(3) refers to the owner or operator of a boiler as described in R307–401–14(1).

We are taking final action to approve changes to the definition of ''Boiler'' in R307–401–14(1) as submitted by the State of Utah on April 17, 2008, in this action. The current federally approved definition of ''Boiler'' in R307–413–7 references Utah's solid and hazardous waste definition of ''Boiler'' in R315–1–1 as it was defined in 40 CFR 260.10, as amended on July 1, 2002. Utah's current federally approved version of R315–1–1 incorporates by reference 40 CFR 260.10, as amended on July 1, 2008. Since there is no substantive difference between 40 CFR 260.10, as amended on July 1, 2002, and 40 CFR 260.10, as amended on July 1, 2008, we are taking final action to approve this definition change in R307–401–14.

We are taking final action to conditionally approve R307–401–15 and approve R307–401–16 as submitted on September 15, 2006, in this action. CAA 110(k)(4) states ''The administrator may approve a plan revision based on a commitment of the State to adopt specific enforceable measures by a date certain, but not later than 1 year after the date of approval of the plan revision. Any such conditional approval shall be treated as a disapproval if the state fails to comply with such commitment''.

We are taking final action to conditionally approve R307–401–15

because R307–401–15(3) allows for a ''test or monitoring method approved by the executive secretary,'' which is director's discretion. Utah submitted a letter to EPA on February 24, 2012, committing to revise R307–401–15(3) to remove the executive secretary's discretion to approve alternate test or monitoring methods (see docket). Utah must submit a SIP revision to change or remove this language not later than one year after the date of final publication of on this rulemaking. If, however, Utah does not submit such a revision within this timeframe, EPA's conditional approval of R307–401–15(3) will revert to a disapproval.

R307–401–15 and R307–401–16 allows all air stripper, soil venting and soil aeration projects to be exempt from notice of intent and approval order requirements if the estimated actual air emissions from volatile organic compounds from a given project are less than 5 tons per year (R307–401–9(1)(a)) and the level of any one hazardous air pollutant (HAP) or combination of HAPs are less than the levels listed in R307–410–4(1)(d) (Toxic Screening Levels and Averaging Periods). EPA has approved similar *de minimis* thresholds for criteria pollutants in past rulemakings: The State of Idaho's permit to construct regulations, which were approved final on January 16, 2003 (68 FR 2217); and the State of Montana's exclusion for *de minimis* changes, which were approved final on February 13, 2012 (77 FR 7531). R307–401–15 and R307–401–16 contain provisions which are smaller in nature and scope than the previously approved rulemakings, as they generally only apply to the remediation of underground storage tanks. EPA finds the revisions would not interfere with any applicable requirement concerning attainment of the NAAQS, rate of progress and reasonable further progress (as defined in section 171), or any other applicable requirement of this Act.

A review of air stripper, soil venting and soil aeration projects from 2008—2010 which were exempted from notice of intent and approval order requirements under R307–401–15 and R307–401–16 show negligible criteria pollutant emissions (see docket). In addition, data from the Utah leaking underground storage tank program shows a significant decrease in the number of new cleanups initiated over the last 10 years (see docket). These provisions meet the requirements of 40 CFR 51.160 because they require prior written approval (R307–401–15(2), R307–401–16(1)) of the State and have testing requirements (R307–401–15(3)) to ensure that exempted projects do not exceed the *de minimis* thresholds as described in R307–401–9.

IV. Summary of Final Action

Based on the above discussion, EPA finds that the revisions are consistent with all CAA requirements. We are taking final action to approve the renumbering of R307–413–7 to R307–401–14 (Used Oil Fuel Burned for Energy Recovery) as submitted by the State of Utah on September 15, 2006; changes to the definition of ''Boiler'' in R307–401–14(1), as submitted by the State of Utah on April 17, 2008; and conditionally approve R307–401–15 and approve R307–401–16 as submitted on September 15, 2006.

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 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 Clean Air Act. Accordingly, this proposed 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);
- 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, this rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the State, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

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 Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by July 14, 2014. 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, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: October 19, 2012

James B. Martin,

Regional Administrator Region 8. Original signature affirmed by:

Dated: April 22, 2014.

Shaun L. McGrath,

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 TT—Utah

■ 2. Section 52.2320 is amended by adding paragraph (c)(78) to read as follows:

§ 52.2320 Identification of plan.

* * * * *

(c) * * *

(78) On April 17, 2008 the State of Utah submitted revisions to the Utah Administrative Code (UAC) R307–401–14, *Used Oil Fuel Burned for Energy Recovery.* On September 15, 2006 the State of Utah submitted revisions to the UAC R307–401–15, *Air Strippers and Soil Venting Projects,* and R307–401–16, *De minimis Emissions From Soil Aeration Projects.*

(i) Incorporation by Reference

(A) Title R307 of the Utah Administrative Code, *Environmental Quality, Air Quality,* Rule R307–401–14, *Used Oil Fuel Burned for Energy Recovery.* Effective February 8, 2008; as published in the Utah State Bulletin on December 1, 2007 and March 1, 2008.

(B) Title R307 of the Utah Administrative Code, *Environmental Quality, Air Quality,* R307–401–15, *Air Strippers and Soil Venting Projects,* and R307–401–16, *De minimis Emissions From Soil Aeration Projects.* Effective June 16, 2006; as published in the Utah State Bulletin on December 1, 2005 and July 15, 2006.

[FR Doc. 2014–10823 Filed 5–12–14; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 81

[EPA–R04–OAR–2012–0851; FRL–9910–64-Region 4]

Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Georgia; Redesignation of the Macon, Georgia, 1997 Annual Fine Particulate Matter Nonattainment Area to Attainment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; correcting amendment.

SUMMARY: Environmental Protection Agency (EPA) is taking final action to approve a request submitted on June 21, 2012, by the Georgia Department of Natural Resources, through Georgia Environmental Protection Division (GA EPD), to redesignate the Macon, Georgia, fine particulate matter ($PM_{2.5}$) nonattainment area (hereafter referred to as the ''Macon Area'' or ''Area'') to attainment for the 1997 Annual $PM_{2.5}$ National Ambient Air Quality Standards (NAAQS). The Macon Area is comprised of Bibb County and a portion of Monroe County in Georgia. EPA's approval of the redesignation request is based on the determination that Georgia has met the criteria for redesignation to attainment set forth in the Clean Air Act (CAA or Act). EPA is also approving a revision to the Georgia State Implementation Plan (SIP) to include the 1997 Annual $PM_{2.5}$ maintenance plan for the Macon Area. Additionally, EPA is approving into the Georgia SIP the motor vehicle emission budgets (MVEBs) for nitrogen oxides (NO_X) and $PM_{2.5}$ for the year 2023 for the Macon Area that are included as part of Georgia's maintenance plan for the 1997 Annual $PM_{2.5}$ NAAQS. Furthermore, EPA is approving a determination that the Area is expected to maintain the 1997 Annual $PM_{2.5}$ NAAQS through the year 2024. EPA is also correcting an inadvertent error in the proposed rulemaking for this action.

DATES: This rule will be effective June 12, 2014.

ADDRESSES: EPA has established a docket for this action under Docket Identification No. EPA–R04–OAR–2012–0851. All documents in the docket are listed on the *www.regulations.gov* Web site. Although listed in the index, some information is not publicly available, i.e., Confidential Business Information 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 either electronically through *www.regulations.gov* or in hard copy at the Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303–8960. EPA requests that if at all possible, you contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office's official hours of business are Monday through Friday, 8:30 to 4:30, excluding federal holidays.

FOR FURTHER INFORMATION CONTACT: Joydeb Majumder, Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303–8960. Joydeb Majumder may be reached by phone at (404) 562–9121 or via electronic mail at *majumder.joydeb@epa.gov*.

SUPPLEMENTARY INFORMATION:

I. What is the background for the actions?

On June 21, 2012,[1] the Georgia Department of Natural Resources, through GA EPD, submitted a request to EPA for redesignation of the Macon Area to attainment for the 1997 Annual $PM_{2.5}$ NAAQS, and for approval of a Georgia SIP revision containing a maintenance plan for the Area.[2] On February 5, 2014, EPA proposed to redesignate the Macon Area to attainment for the 1997 Annual $PM_{2.5}$ NAAQS, and to approve, as a revision to the Georgia SIP, the State's 1997 Annual $PM_{2.5}$ NAAQS maintenance plan and the MVEBs for direct $PM_{2.5}$ and NO_X for the Macon Area included in that maintenance plan.[3] *See* 79 FR 6842. EPA also proposed to determine

[1] Although EPA received Georgia's request to redesignate the Macon Area to attainment for the 1997 Annual $PM_{2.5}$ NAAQS on June 26, 2012, along with the maintenance plan SIP submission, the official submittal date for the redesignation request and maintenance plan is the date of the cover letter, June 21, 2012.

[2] EPA designated the Macon Area as nonattainment for the annual 1997 $PM_{2.5}$ NAAQS on January 5, 2005 (70 FR 944) as supplemented on April 14, 2005 (70 FR 19844).

[3] On March 2, 2012, EPA approved, under section 172(c)(3) of the CAA, Georgia's 2002 base-year emissions inventory for the Macon Area as part of the SIP revision submitted by GA EPD to provide for attainment of the 1997 $PM_{2.5}$ NAAQS in the Area. *See* 77 FR 12724.