

heavy-duty vehicles and engines.<sup>9</sup> The memorandum also stated that “[t]o meet the requirements of the Clean Fuel Fleet Program fleet managers can be assured that vehicles and engines certified to current Part 86 emission standards, which EPA has determined to be as or more stringent than corresponding CFV emission standards per the attached EPA Dear Manufacturer Letter meet the CFV emission standards and the CFFP requirements as defined in CFR part 88.” Further reductions from these same vehicles will be achieved by EPA’s newly promulgated Tier 3 emission standards.<sup>10</sup>

In its SIP submission, GA EPD provided an independent analysis of the expected emission benefits of Tier 2 and heavy-duty engine standards over LEV standards.<sup>11</sup> According to GA EPD’s analysis, Tier 2 NO<sub>x</sub> standards have a benefit over LEV ranging from 0.09 gpm to 0.99 gpm on a per vehicle basis. With regard to the heavy-duty engine standards, GA EPD indicates that there is a benefit of 1.4 grams/brake-horse power per hour for the combination of non-methane hydrocarbons and NO<sub>x</sub> on a per vehicle basis.

EPA has preliminarily determined that the removal of the Georgia CFFP will not interfere with attainment or reasonable further progress, or any other applicable requirement of the Act because the emission reductions that were generated by Georgia’s CFFP have been overtaken by EPA’s Tier 2 Rule and heavy-duty emissions standards. As discussed above, the vehicle emissions standards referenced in EPA’s April 17, 2006 memorandum have been fully implemented, thus ensuring that all new vehicle fleet purchases meet CFV standards.<sup>12</sup>

<sup>9</sup>Memorandum from Leila H. Cook, EPA Transportation & Regional Programs Division, to Air Program Managers re: Clean Fuel Fleet Program Requirements (April 17, 2006). This memorandum superseded a July 2, 2004, memorandum from Leila H. Cook noting that the Tier 2 standards are equivalent to or cleaner than earlier emission levels mandated by the CFFP. These memoranda are included with the State’s SIP revision in the docket for this proposed action.

<sup>10</sup>“Control of Air Pollution From Motor Vehicles: Tier 3 Motor Vehicle Emission and Fuel Standards.” See 79 FR 23414 (April 28, 2014).

<sup>11</sup>See Table 1 of the Georgia’s January 22, 2015, SIP revision.

<sup>12</sup>In its January 22, 2015, SIP revision, GA EPD analyzed the annual reports submitted by the fleets for the model years 2001–2004 and 2006 to determine the number of used vehicles purchased and the range of the model years. GA EPD determined that 98 percent of the vehicles purchased are new. Only 2 percent of vehicles are purchased as used. Out of the used vehicles purchased, 80 percent are 2004 and newer models. As a result, only 0.4 percent of vehicles purchased are older than the 2004 model year.

#### IV. Proposed Action

EPA is proposing to approve Georgia’s January 22, 2015, SIP revision and move Georgia’s CFFP rules (Georgia Rules 391–3–22–.01 through .11) from the active portion of Georgia SIP to the contingency measures portion of Georgia’s maintenance plan in the SIP for the 1997 Atlanta 8-hour Ozone Area. EPA is proposing this approval because the Agency has made the preliminarily determination that Georgia’s January 22, 2015, SIP revision is consistent with the CAA and EPA’s regulations and guidance.

#### V. 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. See 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 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 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);
- 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 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 as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), nor will it impose substantial direct costs on tribal governments or preempt tribal law.

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

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

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

Dated: July 14, 2015.

**Heather McTeer Toney,**

*Regional Administrator, Region 4.*

[FR Doc. 2015–18079 Filed 7–23–15; 8:45 am]

**BILLING CODE 6560–50–P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA–R05–OAR–2015–0407; FRL–9930–80–Region 5]

### Air Plan Approval; MI, Belding; 2008 Lead Clean Data Determination

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

**ACTION:** Proposed rule.

**SUMMARY:** On May 13, 2015, the Michigan Department of Environmental Quality (MDEQ) submitted a request to the Environmental Protection Agency (EPA) to make a determination under the Clean Air Act (CAA) that the Belding nonattainment area has attained the 2008 lead (Pb) national ambient air quality standard (NAAQS). In this action, EPA is proposing to determine that the Belding nonattainment area (area) has attained the 2008 Pb NAAQS. This clean data determination is based upon complete, quality-assured and certified ambient air monitoring data for the 2012–2014 design period showing that the area has monitored attainment of the 2008 Pb NAAQS. Additionally, as a result of this proposed determination, EPA is proposing to suspend the

requirements for the area to submit an attainment demonstration, together with reasonably available control measures, a reasonable further progress (RFP) plan, and contingency measures for failure to meet the RFP plan and attainment deadlines for as long as the area continues to attain the 2008 Pb NAAQS.

**DATES:** Comments must be received on or before August 24, 2015.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R05-OAR-2015-0407, by one of the following methods:

1. *www.regulations.gov*: Follow the on-line instructions for submitting comments.

2. *Email*: [aburano.douglas@epa.gov](mailto:aburano.douglas@epa.gov).

3. *Fax*: (312) 408-2279.

4. *Mail*: Douglas Aburano, Chief, Attainment Planning and Maintenance Section, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

5. *Hand Delivery*: Douglas Aburano, Chief, Attainment Planning and Maintenance Section, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, 77 West Jackson

Boulevard, Chicago, Illinois 60604.

Such deliveries are only accepted during the Regional Office normal hours of operation, and special arrangements should be made for deliveries of boxed information. The Regional Office official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding Federal holidays.

Please see the direct final rule which is located in the Rules section of this **Federal Register** for detailed instructions on how to submit comments.

**FOR FURTHER INFORMATION CONTACT:**

Sarah Arra, Environmental Scientist, Attainment Planning and Maintenance Section, Air Programs Branch (AR-18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-9401, [arra.sarah@epa.gov](mailto:arra.sarah@epa.gov).

**SUPPLEMENTARY INFORMATION:** In the Final Rules section of this **Federal Register**, EPA is making a clean data determination as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse

comments. A detailed rationale for the action is set forth in the direct final rule. If no adverse comments are received in response to this rule, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment. For additional information, see the direct final rule which is located in the Rules section of this **Federal Register**.

Dated: July 14, 2015.

**Susan Hedman,**

*Regional Administrator, Region 5.*

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