

safety risks addressed by this action present a disproportionate risk to children because it does not establish an environmental standard intended to mitigate health or safety risks.

I. Executive Order 13211: Actions That Significantly Affect Energy Supply, Distribution, or Use

This action is not subject to Executive Order 13211 (66 FR 28355 (May 22, 2001)), because it is not a significant regulatory action under Executive Order 12866.

J. National Technology Transfer Advancement Act

This rulemaking does not involve technical standards.

K. Congressional Review Act

This action is subject to the Congressional Review Act, and EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

L. Judicial Review

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 October 14, 2025. 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, Reporting and recordkeeping requirements, Sulfur oxides.

Dated: August 5, 2025.

Anne Vogel,
Regional Administrator, Region 5.

For the reasons stated in the preamble, title 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.*

■ 2. Amend § 52.770:

■ a. In the table in paragraph (d) by adding an entry at the end for “Isolatek International”; and

■ b. In the table in paragraph (e) by adding an entry at the end for “Huntington County 2010 Sulfur Dioxide (SO₂) Attainment Plan”.

The addition reads as follows:

§ 52.770 Identification of plan.

* * * * *

(d) * * *

EPA-APPROVED INDIANA SOURCE-SPECIFIC PROVISIONS

CO date	Title	SIP rule	EPA approval	Explanation
* * *	* * *	* * *	* * *	* * *
2/12/2024	Isolatek International	N.A	8/14/2025, 90 FR [Insert Federal Register page where the document begins].	Limitations to support attainment plan.

(e) * * *

EPA-APPROVED INDIANA NONREGULATORY AND QUASI-REGULATORY PROVISIONS

Title	Indiana date	EPA approval	Explanation
* * *	* * *	* * *	* * *
Huntington County 2010 Sulfur Dioxide (SO ₂) Attainment Plan.	11/6/2023	8/14/2025, 90 FR [Insert Federal Register page where the document begins].	Full approval.

■ 3. In § 52.774, add paragraph (c) to read as follows:

§ 52.774 Determination of attainment.

(c) Based upon air quality modeling, EPA determined that the Huntington County sulfur dioxide (SO₂) nonattainment area failed to attain the 2010 SO₂ NAAQS by the applicable attainment date of April 9, 2023. Therefore, EPA has met the requirement pursuant to CAA section 179(c) to determine, based on the Area’s air quality as of the attainment date, whether the Area attained the standard. EPA also determined that Indiana has met the requirements resulting from

failing to attain pursuant to section 179(d) for the Huntington County SO₂ nonattainment area.

[FR Doc. 2025–15455 Filed 8–13–25; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R02–OAR–2025–0040; FRL–12733–02–R2]

Approval and Promulgation of State Implementation Plans; New York; Emission Statement Certification of the 2008 and 2015 Ozone National Ambient Air Quality Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving portions of

the comprehensive State Implementation Plan (SIP) revisions submitted by New York State that certify that the State has satisfied the requirements for an emission statement program for both the Serious and Moderate classifications of the 2008 and 2015 ozone National Ambient Air Quality Standards (NAAQS), respectively. These actions are being taken in accordance with the requirements of the Clean Air Act (CAA). The EPA proposed to approve this SIP revision on May 8, 2025, and received no comments.

DATES: This final rule is effective on September 15, 2025.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA-R02-OAR-2025-0040. All documents in the docket are listed on the <https://www.regulations.gov> website. Although listed in the index, some information is not publicly available, *e.g.*, Controlled Unclassified Information (CUI) (formerly referred to as Confidential Business Information (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 electronically through <https://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT:

Fausto Taveras, Environmental Protection Agency, Air Programs Branch, Region 2, 290 Broadway, New York, New York 10007-1866, telephone number: (212) 637-3378, or by email address: taveras.fausto@epa.gov.

SUPPLEMENTARY INFORMATION:

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

Table of Contents

- I. What is the background for this action?
- II. What comments were received in response to the EPA’s proposed action?
- III. What action is the EPA taking?
- IV. Statutory and Executive Order Reviews

I. What is the background for this action?

On May 8, 2025, the EPA proposed to approve State Implementation Plan (SIP) revisions submitted by New York State for purposes of addressing ozone elements for the 2008 and 2015 ozone 8-hour NAAQS for the New York portion of the New York-Northern New Jersey-Long Island (NY-NJ-CT) nonattainment area (also referred to as the New York Metro Area or NYMA). See 90 FR 19434. Specifically, the EPA proposed to approve the State’s

certification that it has satisfied the requirements for an emission statement program for the 2015 ozone Moderate classification, pursuant to CAA section 182(a)(3)(B) and 182(b), for the NYMA nonattainment area included in its comprehensive SIP submittal from January 29, 2021. Additionally, New York State also submitted a comprehensive SIP revision on November 29, 2021. Within that submittal, the State included its certification that it has satisfied the requirements of an emission statement program for the 2008 ozone Serious classification, pursuant to CAA section 182(a)(3)(B) and 182(c), for the NYMA nonattainment area.¹ Within both submissions, New York certifies that the emission statement requirement under CAA section 182(a)(3)(B) continues to be fully addressed through the implementation and enforcement of its state-wide federally approved regulation at Title 6 of the New York Code of Rules and Regulation (NYCRR) subpart 202-2, “Emission Statements.”²

Planning elements addressed in this final action from New York’s comprehensive January 29, 2021, and November 29, 2021, SIP submissions along with the respective NAAQS classification and nonattainment areas are outlined in table 1.

TABLE 1—SIP ELEMENTS THAT THE EPA IS APPROVING THAT ARE ADDRESSED IN NEW YORK STATE’S COMPREHENSIVE SIP REVISION SUBMITTED ON JANUARY 29, 2021, AND NOVEMBER 29, 2021

Ozone NAAQS & classification	SIP element	Nonattainment areas	SIP submission date
2008 Ozone NAAQS—Serious Classification.	Certification of the State’s Emission Statement Program Pursuant to CAA section 182(c).	New York’s portion of the New York-Northern New Jersey-Long Island (NY-NJ-CT).	November 29, 2021.
2015 Ozone NAAQS—Moderate Classification.	Certification of the State’s Emission Statement Program Pursuant to CAA section 182(a)(3)(B).	New York’s portion of the New York-Northern New Jersey-Long Island (NY-NJ-CT).	January 29, 2021.

The specific details of New York’s SIP submittals and the rationale for the EPA’s approval action are explained in the EPA’s proposed rulemaking and are not restated in this final action. For this detailed information, the reader is referred to the May 8, 2025, proposal. See 90 FR 19434.

II. What comments were received in response to the EPA’s proposed action?

The EPA provided a 30-day review and comment period for the May 8, 2025, proposed rule. The comment period ended on June 9, 2025. We received no comments on the EPA’s

action. As a result, no changes have been made to this final rule.

III. What action is the EPA taking?

In this rule, the EPA is approving the certifications included in New York State’s January 29, 2021, and November 29, 2021, comprehensive SIP revisions. Within the January 29, 2021, comprehensive SIP revision, the State certified that it has satisfied the requirements of an emission statement program for the 2015 ozone Moderate classification, pursuant to CAA sections 182(a)(3)(B) and 182(b), for the NYMA nonattainment area. Additionally, the State’s November 29, 2021,

comprehensive SIP revision provided certification that its existing emission statement regulation addresses the requirements for an emission statement program for the 2008 ozone Serious classification, pursuant to CAA sections 182(a)(3)(B) and 182(c), for the NYMA nonattainment area. In this action, the EPA has determined that New York State’s federally approved emission statement regulation, 6 NYCRR subpart 202-2, “Emission Statements,” continues to properly implement the emissions statement requirements of CAA sections 182(a)(3)(B) and 182(c) consistent with 40 CFR 51.1115 and 40 CFR 51.1315.

¹ The EPA addressed the remaining ozone elements, outlined in New York’s comprehensive January 29, 2021, and November 29, 2021, SIP

revisions, in a separate rulemaking. See 88 FR 77208 (November 9, 2023).

² The EPA approved a revision to 6 NYCRR subpart 202-2 into New York’s SIP on December 28, 2023. See 88 FR 89593.

IV. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA 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 Order 12866 (58 FR 51735, October 4, 1993);
- Is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because SIP actions are exempt from review 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 CAA.

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 it 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).

This action is subject to the Congressional Review Act (CRA), and EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. 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 October 14, 2025. 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, Nitrogen oxides, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

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

Michael Martucci,

Regional Administrator, Region 2.

For the reasons set forth in the preamble, EPA amends 40 CFR part 52 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 HH—New York

- 2. In § 52.1670, the table in paragraph (e) is amended by adding the entries “2008 8-hour Ozone NAAQS Serious Emission Statement Program Certification Pursuant to Clean Air Act section 182(c)” and “2015 8-hour Ozone NAAQS Moderate Emission Statement Program Certification Pursuant to Clean Air Act sections 182(a)(3)(B) and 182(b)” in alphabetical order at the end of the table to read as follows:

§ 52.1670 Identification of plan.

* * * * *

(e) * * *

EPA-APPROVED NEW YORK NONREGULATORY AND QUASI-REGULATORY PROVISIONS

Action/SIP element	Applicable geographic or nonattainment area	New York submittal date	EPA approval date	Explanation
2008 8-hour Ozone NAAQS Serious Emission Statement Program Certification Pursuant to Clean Air Act section 182(c).	New York portion of the New York-Northern New Jersey-Long Island NY–NJ–CT 8-hour ozone nonattainment area.	11/29/2021	8/14/2025, 90 FR [insert FEDERAL REGISTER page where the document begins].	• Full approval.
2015 8-hour Ozone NAAQS Moderate Emission Statement Program Certification Pursuant to Clean Air Act sections 182(a)(3)(B) and 182(b).	New York portion of the New York-Northern New Jersey-Long Island NY–NJ–CT 8-hour ozone nonattainment area.	01/29/2021	8/14/2025, 90 FR [insert FEDERAL REGISTER page where the document begins].	• Full approval.

- 3. In § 52.1683, add paragraphs (w)(8) and (9) to read as follows:

§ 52.1683 Control strategy: Ozone.

* * * * *

(w) * * *

(8) New York's certification that the State has satisfied the requirements for Emission Statement Program under the Clean Air Act for the 2008 8-hour Ozone NAAQS Serious classification, included in the State's November 29, 2021, SIP

submittal for the New York portion of the New York-Northern New Jersey-Long Island nonattainment area, pursuant to Clean Air Act section 182(c), is approved.

(9) New York's certification that the State has satisfied the requirements for Emission Statement Program under the Clean Air Act for the 2015 8-hour Ozone NAAQS Moderate classification, included in the State's January 29, 2021, SIP submittal for the New York portion of the New York-Northern New Jersey-Long Island nonattainment area, pursuant to Clean Air Act sections 182(a)(3)(B) and 182(b), is approved.

[FR Doc. 2025-15443 Filed 8-13-25; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R07-OAR-2025-0200; FRL-12750-02-R7]

Air Plan Approval; IA; Alter Metal Recycling Permit Modification

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking final action to approve revisions to the Iowa State Implementation Plan (SIP) to include a permit modification for Alter Metal Recycling. This final action will amend the SIP to incorporate revisions to the air construction permit for Alter Metal Recycling included in the State's 2008 Lead (Pb) National Ambient Air Quality Standards (NAAQS) attainment plan for a portion of Council Bluffs, Pottawattamie County, IA. These revisions do not impact the stringency of the SIP or have an adverse effect on air quality. The EPA's approval of this revision is being done in accordance with the requirements of the Clean Air Act (CAA).

DATES: This final rule is effective on September 15, 2025.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA-R07-OAR-2025-0200. All documents in the docket are listed on the <https://www.regulations.gov> website. Although listed in the index, some information is not publicly available, *i.e.*, Confidential Business Information (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 <https://www.regulations.gov> or please contact the person identified in the **FOR FURTHER**

INFORMATION CONTACT section for additional information.

FOR FURTHER INFORMATION CONTACT:

Bethany Olson, Environmental Protection Agency, Region 7 Office, Air Quality Planning Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219; telephone number: (913) 551-7905; email address: olson.bethany@epa.gov.

SUPPLEMENTARY INFORMATION:

Throughout this document "we," "us," and "our" refer to EPA.

Table of Contents

- I. What is being addressed in this document?
- II. Have the requirements for approval of a SIP revision been met?
- III. What action is the EPA taking?
- IV. Incorporation by Reference
- V. Statutory and Executive Order Reviews

I. What is being addressed in this document?

The EPA is approving revisions to the Iowa SIP received on October 23, 2017. Iowa Department of Natural Resources (IDNR) requested to replace a SIP-approved air construction permit with a modified permit at Alter Metal Recycling in Council Bluffs, Pottawattamie County, IA. The air construction permit #A-14-521 for Alter Metal Recycling was included in Iowa's 2008 Lead NAAQS attainment plan for the Pottawattamie County, Council Bluffs, Iowa nonattainment area, which was approved by EPA on February 26, 2016 (81 FR 9770).

As discussed in further detail in the notice of proposed rulemaking (NPRM), dated June 3, 2025 (90 FR 23495), the SIP-approved permit #14-A-521 provided that Alter Metal Recycling could request to reduce the frequency of required silt load sampling if the silt load content was less than 2.70 g/m² for 12 consecutive months. As detailed in Iowa's October 23, 2017, letter requesting approval of the modified permit #A-14-521-S1 into the SIP, data submitted by Alter Metal Recycling demonstrated compliance between October 2014 and November 2016. Accordingly, IDNR granted Alter Metal's request to reduce the frequency of required silt load sampling from monthly to quarterly. The modified permit also includes updated contingency measures that are more protective of air quality during inclement weather.

The state's SIP submission requested that the EPA not act on Condition 11 of the permit, and accordingly that condition is not included in this action. Condition 11 references 567 Iowa Administrative Code (IAC) Chapter 24.1(1) pertaining to excess emissions during periods of startup, shutdown, or

cleaning of control equipment. The EPA finds that the permit modification does not increase potential lead emissions and retains all measures necessary to attain and maintain the 2008 lead NAAQS.

For these reasons, the EPA finds that this SIP revision will not interfere with any applicable requirement concerning attainment and reasonable further progress (as defined in section 171 of the CAA), or any other applicable requirement of the CAA as required under section 110(l) of the Act. Accordingly, EPA is taking final action to remove permit #14-A-521 from the SIP and replace it with permit #14-A-521-S1. The full permit and the State's submission can be found in the docket for this action.

II. Have the requirements for approval of a SIP revision been met?

The State submission has met the public notice requirements for SIP submissions in accordance with 40 CFR 51.102. The submission also satisfied the completeness criteria of 40 CFR part 51, appendix V. The State provided public notice on this SIP revision from May 25, 2017, to June 27, 2017, and held a public hearing on June 27, 2017. The State received no comments. The EPA's NPRM and supporting information contained in the docket were made available for public comment from June 3, 2025, to July 3, 2025. The EPA received no comments. In addition, as explained above, the revision meets the substantive SIP requirements of the CAA, including section 110 and implementing regulations.

III. What action is the EPA taking?

The EPA is taking final action to approve the State's request to modify the SIP-approved permit for Alter Metal Recycling. This action removes air construction permit #14-A-521 from the Iowa SIP and replaces it with permit #14-A-521-S1.

IV. Incorporation by Reference

In this document, the EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is removing the EPA-approved permit #14-A-521 from the Iowa SIP and adding incorporation by reference of the Iowa permit #14-A-521-S1 discussed in section II. of this preamble and as set forth below in the amendments to 40 CFR part 52. The EPA has made, and will continue to make, these materials generally available through <https://www.regulations.gov> and at the EPA