

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 52**

[EPA-R06-OAR-2014-0642; FRL-9943-42-Region 6]

Approval and Promulgation of Air Quality Implementation Plans; New Mexico; and Albuquerque/Bernalillo County; Revisions To Establish Small Business Stationary Source Technical and Environmental Compliance Assistance Programs**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve revisions to the New Mexico State Implementation Plan (SIP) for both the State and Albuquerque/Bernalillo County. These proposed revisions establish Small Business Stationary Assistance Source Technical and Environmental Compliance Assistance Programs. The EPA is proposing to approve these revisions pursuant to sections 110 and 507(a) of the Clean Air Act (CAA).

DATES: Written comments should be received on or before April 11, 2016.

ADDRESSES: Comments may be submitted by following the detailed instructions in the **ADDRESSES** section of the direct final rule located in the rules section of this **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Mr. John Walser, (214) 665-7128, walser.john@epa.gov.

SUPPLEMENTARY INFORMATION: In the Rules and Regulations section of this **Federal Register**, the EPA is approving the State's SIP submittal as a direct rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no relevant adverse comments are received in response to this action, no further activity is contemplated. If the EPA receives relevant adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time.

For additional information, see the direct final rule which is located in the Rules and Regulations section of this **Federal Register**.

Dated: February 24, 2016.

Ron Curry,*Regional Administrator, Region 6.*

[FR Doc. 2016-05161 Filed 3-9-16; 8:45 am]

BILLING CODE 6560-50-P**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 52**

[EPA-R09-OAR-2015-0819; FRL-9943-47-Region 9]

Revisions to the California State Implementation Plan; South Coast Air Quality Management District; Control of Oxides of Nitrogen Emissions From Off-Road Diesel Vehicles**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve South Coast Air Quality Management District's (SCAQMD or District) Rule 2449, Control of Oxides of Nitrogen Emissions from Off-Road Diesel Vehicles, which adopts by reference title 13, chapter 9, section 2449.2 of the California Code of Regulations (CCR), "Surplus Off-Road Opt-In for NO_x (SOON) Program," as part of the SCAQMD portion of the California State Implementation Plan (SIP). SCAQMD Rule 2449 requires certain in-use off-road vehicle fleets to meet more stringent requirements in the South Coast area when funding is provided by the District in order to achieve additional reductions of oxides of Nitrogen (NO_x). We are taking comments on this proposal and plan to follow with a final action.

DATES: Any comments must arrive by April 11, 2016.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-R09-OAR-2015-0819 at <http://www.regulations.gov>, or via email to lo.doris@epa.gov. For comments submitted at Regulations.gov, follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from Regulations.gov. For either manner of submission, 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 the person identified in the **FOR FURTHER INFORMATION CONTACT** section. 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>.

FOR FURTHER INFORMATION CONTACT: Doris Lo, EPA Region IX, (415) 972-3959, lo.doris@epa.gov.

SUPPLEMENTARY INFORMATION:

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

Table of Contents

- I. Background
- II. The State's Submittal
 - A. What rule did the State submit?
 - B. Are there other versions of the rule?
 - C. What is the purpose of the submitted rule?
 - D. What do the Off-Road Regulation and Rule 2449 require?
- III. The EPA's Evaluation of the State's Submittal
 - A. How is the EPA evaluating the rule?
 - B. Does Rule 2449 meet CAA SIP evaluation criteria?
 - 1. Did the SCAQMD and CARB provide adequate public notice and comment periods?
 - 2. Do the SCAQMD and CARB have adequate legal authority to implement the rule?
 - 3. Is the rule enforceable as required under CAA section 110(a)(2)?
 - 4. Does the rule interfere with reasonable further progress and attainment or any other applicable requirement of the Act?
 - 5. Will the State and the SCAQMD have adequate personnel and funding for the rule?
 - 6. Does the rule meet the RACM and BACM requirements under CAA sections 172(c)(1) and 189?
 - 7. The EPA's Rule Evaluation Conclusion
- IV. Proposed Action and Public Comment
- V. Incorporation by Reference
- VI. Statutory and Executive Order Reviews

I. Background

The California Air Resources Board's (CARB) Off-Road Diesel-Fueled Fleets Regulation (13 CCR sections 2449, 2449.1 and 2449.2) applies to fleets with nonroad¹ compression-ignition vehicles and equipment greater than 25 horsepower (hp). Sections 2449 and 2449.1 (collectively the "Off-Road

¹ The Clean Air Act refers to these engines as "nonroad" engines and the State of California uses the term "off-road" engines. The terms "nonroad" and "off-road" are used interchangeably in this rule.