

for the area's safety and management of instrument flight rules (IFR) operations.

### Regulatory Notices and Analyses

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (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 proposed rule, when promulgated, will 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 would be subject to an environmental analysis per FAA Order 1050.1F, "Environmental Impacts: Policies and Procedures," before any FAA final regulatory action.

### Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

### The Proposed Amendment

In consideration of the foregoing, 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 JO 7400.11H, Airspace Designations and Reporting Points, dated August 11, 2023, and effective September 15, 2023, is amended as follows:

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

\* \* \* \* \*

ASO NC E5 Reidsville, NC [New]

Rockingham County, NC Shiloh Airport, NC

(Lat. 36°26'14" N, long. 79°51'04" W)

That airspace extending upward from 700 feet above the surface within a 9.1-mile radius of Rockingham County, NC Shiloh Airport.

\* \* \* \* \*

Issued in College Park, Georgia, on March 13, 2024.

**Andree C. Davis,**

*Manager, Airspace & Procedures Team South, Eastern Service Center, Air Traffic Organization.*

[FR Doc. 2024–05755 Filed 3–18–24; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 1

[REG–117631–23]

RIN 1545–BQ97

### Section 45V Credit for Production of Clean Hydrogen; Section 48(a)(15) Election To Treat Clean Hydrogen Production Facilities as Energy Property; Hearing

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Notice of proposed rulemaking; notice of hearing.

**SUMMARY:** This document provides a notice of public hearing on proposed regulations relating to the credit for production of clean hydrogen and the election to treat clean hydrogen production facilities as energy property.

**DATES:** The public hearing on these proposed regulations has been scheduled for Monday, March 25, 2024, at 10 a.m. ET, Tuesday, March 26, 2024, at 10 a.m. ET, and Wednesday, March 27, 2024, at 10 a.m. ET.

**ADDRESSES:** Monday, March 25, 2024, the public hearing is being held in the Auditorium, at the Internal Revenue Service Building, 1111 Constitution Avenue NW, Washington, DC. Due to security procedures, visitors must enter at the Constitution Avenue entrance. In addition, all visitors must present a valid photo identification to enter the building. Because of access restrictions, visitors will not be admitted beyond the immediate entrance area more than 30 minutes before the hearing starts. Participants may alternatively attend the public hearing by telephone.

On Tuesday, March 26, and Wednesday, March 27, 2024, the public hearing will be held by telephone only.

**FOR FURTHER INFORMATION CONTACT:** Concerning the proposed regulations,

the Office of Associate Chief Counsel (Passthroughs and Special Industries), (202) 317–6853 (not a toll-free number); concerning submissions of comments, the hearing and/or to be placed on the building access list to attend the public hearing, call Vivian Hayes (202–317–6901) (not a toll-free number) or by email to [publichearings@irs.gov](mailto:publichearings@irs.gov) (preferred).

**SUPPLEMENTARY INFORMATION:** The subject of the public hearing is the notice of proposed rulemaking (REG–117631–23) that was published in the **Federal Register** on Tuesday, December 26, 2023 (FR 88 89220). To accommodate all persons who wished to present oral comments at the public hearing, the hearing Monday, March 25, 2024, has been extended to Tuesday, March 26, and Wednesday, March 27, 2024. The additional days, March 26 and March 27, 2024, are reserved for oral comments by telephone only.

Persons who wished to present oral comments at the public hearing were required to submit written and electronic comments and an outline of the topics to be discussed as well as the time to be devoted to each topic by March 4, 2024. This due date for requests to testify has not been extended. Persons who made timely requests to testify will receive the telephone number and access codes for the public hearing.

An agenda showing the scheduling of the speakers will be available free of charge at the hearing, and via the Federal eRulemaking Portal ([www.Regulations.gov](http://www.Regulations.gov)) under the title of Supporting & Related Material.

Individuals who want to attend the public hearing in person without testifying must also send an email to [publichearings@irs.gov](mailto:publichearings@irs.gov) to have your name added to the building access list. The subject line of the email must contain the regulation number REG–117631–23 and the language ATTEND In Person. For example, the subject line may say: Request to ATTEND Hearing In Person for REG–117631–23. Requests to attend the public hearing must be received by 5 p.m. ET by March 18, 2024.

Individuals who want to attend the public hearing by telephone without testifying must also send an email to [publichearings@irs.gov](mailto:publichearings@irs.gov) to receive the telephone number and access code for the hearing. The subject line of the email must contain the regulation number REG–117631–23, and the language ATTEND Hearing Telephonically. For example, the subject line may say: Request to ATTEND Hearing Telephonically for

REG-117631-23. Requests to attend the public hearing must be received by 5 p.m. ET by March 18, 2024.

Hearings will be made accessible to people with disabilities. To request special assistance during a hearing please contact the Publications and Regulations Section of the Office of Associate Chief Counsel (Procedure and Administration) by sending an email to [publichearings@irs.gov](mailto:publichearings@irs.gov) (preferred) or by telephone at (202) 317-6901 (not a toll-free number) by 5 p.m. ET on March 18, 2024.

Any questions regarding speaking at or attending a public hearing may also be emailed to [publichearings@irs.gov](mailto:publichearings@irs.gov).

**Oluwafunmilayo A. Taylor,**

*Section Chief, Publications and Regulations Section, Associate Chief Counsel, (Procedure and Administration).*

[FR Doc. 2024-05745 Filed 3-18-24; 8:45 am]

BILLING CODE 4830-01-P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[EPA-R05-OAR-2022-0369; FRL-11761-01-R5]

**Air Plan Approval; Wisconsin; Milwaukee Second 10-Year 2006 24-Hour PM<sub>2.5</sub> Limited Maintenance Plan**

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

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing to approve, under the Clean Air Act (CAA), the limited maintenance plan (LMP) submitted on April 8, 2022, by the Wisconsin Department of Natural Resources (WDNR) for the Milwaukee-Racine maintenance area including Milwaukee, Waukesha, and Racine counties. The plan addresses the second 10-year maintenance period for particulate matter with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers (PM<sub>2.5</sub>). EPA is proposing to approve Wisconsin's LMP submission for Milwaukee-Racine because it provides for the maintenance of the 2006 PM<sub>2.5</sub> national ambient air quality standard (NAAQS) through the end of the second 10-year portion of the maintenance period. In addition, EPA is initiating the process to find the Milwaukee-Racine PM<sub>2.5</sub> LMP adequate for transportation conformity purposes.

**DATES:** Comments must be received on or before April 18, 2024.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R05-

OAR-2022-0369 at <https://www.regulations.gov>, or via email to [arra.sarah@epa.gov](mailto:arra.sarah@epa.gov). For comments submitted at [Regulations.gov](https://www.regulations.gov), follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from [Regulations.gov](https://www.regulations.gov). For either manner of submission, 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. 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 <https://www2.epa.gov/dockets/commenting-epa-dockets>.

**FOR FURTHER INFORMATION CONTACT:** Cecilia Magos, Attainment Planning and Maintenance Section, Air Programs Branch (AR-18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-7336, [magos.cecilia@epa.gov](mailto:magos.cecilia@epa.gov). The EPA Region 5 office is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal holidays and facility closures due to COVID-19.

**SUPPLEMENTARY INFORMATION:** Throughout this document whenever “we,” “us,” or “our” is used, we mean EPA. This supplementary information section is arranged as follows:

- I. Background
- II. The LMP Option
- III. EPA's Analysis of the State's Submittal
- IV. What action is EPA taking?
- V. Environmental Justice Considerations
- VI. Statutory and Executive Orders Review

**I. Background**

*A. The PM<sub>2.5</sub> NAAQS*

PM<sub>2.5</sub> is one of the criteria pollutants for which a NAAQS is established to protect human health and the environment. In 1997, EPA established the first PM<sub>2.5</sub> standards based on significant scientific evidence and health studies demonstrating the serious health effects associated with exposure

to PM<sub>2.5</sub>. EPA set an annual standard of 15.0 micrograms per cubic meter (µg/m<sup>3</sup>) and a 24-hour (or daily) standard of 65 µg/m<sup>3</sup>. In 2006, EPA strengthened the 24-hour PM<sub>2.5</sub> NAAQS by revising it to 35 µg/m<sup>3</sup> and retained the level of the annual PM<sub>2.5</sub> standard at 15.0 µg/m<sup>3</sup>. Subsequently, in 2012, EPA established an annual primary PM<sub>2.5</sub> NAAQS at 12 µg/m<sup>3</sup> and retained the 2006 24-hour PM<sub>2.5</sub> NAAQS at 35 µg/m<sup>3</sup>. In 2024, EPA revised the annual primary PM<sub>2.5</sub> NAAQS to 9.0 µg/m<sup>3</sup> and retained the level of the 2006 24-hour PM<sub>2.5</sub> NAAQS at 35 µg/m<sup>3</sup>.

*B. Regulatory Actions in Milwaukee-Racine*

On November 13, 2009 (74 FR 58688), EPA designated the Milwaukee-Racine area as a PM<sub>2.5</sub> nonattainment area due to measured violations of the 2006 PM<sub>2.5</sub> NAAQS. On June 8, 2012, supplemented on May 30, 2013, WDNR submitted to EPA a request to redesignate the Milwaukee-Racine nonattainment area, to attainment of the 2006 PM<sub>2.5</sub> NAAQS. The submission included a plan to provide for maintenance of the 2006 PM<sub>2.5</sub> NAAQS in the area for 10 years. EPA redesignated the Milwaukee-Racine area on April 22, 2014 (79 FR 22415), and approved the associated maintenance plan into the Wisconsin State Implementation Plan (SIP). The purpose of WDNR'S April 8, 2022, LMP submission is to fulfill the second 10-year planning requirement of CAA section 175A(b) to ensure PM<sub>2.5</sub> NAAQS compliance through 2034.

**II. The LMP Option**

*A. Demonstration of Maintenance Using the LMP Option*

Section 175A of the CAA sets forth the elements of a maintenance plan. Under section 175A, a state must submit a revision to the SIP that provides for maintenance of the applicable NAAQS for at least 10 years after an area is redesignated to attainment. Section 175A also requires that eight years into the first maintenance period, the state must submit a second maintenance plan demonstrating that the area will continue to attain for the following 10-year period.

EPA has published long-standing guidance for states on developing maintenance plans.<sup>1</sup> The Calcagni memo provides that states may generally demonstrate maintenance by

<sup>1</sup> Calcagni, John, Director, Air Quality Management Division, EPA Office of Air Quality Planning and Standards, “Procedures for Processing Requests to Redesignate Areas to Attainment,” September 4, 1992 (Calcagni memo).