

program to compensate for the exclusion of the urbanized population of 8,735 in Wise County.⁷ Thus, Wise County need not implement an I/M program.

Therefore, since the provisions in the Texas SIP already include the I/M requirements specified by the CAA for serious ozone nonattainment areas, we are proposing to approve this portion of the two SIP revisions.

Nonattainment NSR

The applicable NNSR requirements for the various ozone nonattainment classifications are described in CAA section 182 and further defined in 40 CFR part 51, subpart I (Review of New Sources and Modifications). Under these requirements new major sources or major modifications at existing sources in an ozone nonattainment area must comply with the lowest achievable emission rate and obtain sufficient emission offsets.⁸ For serious ozone nonattainment areas, major sources are defined as any stationary source or group of sources located within a contiguous area and under common control that emits, or has the potential to emit, at least 50 tons per year (tpy) of NO_x or VOC (see CAA sections 182(c) and 182(f), and 40 CFR 51.165). The emission offset ratio required for serious ozone nonattainment areas is 1.2 to 1 (see CAA section 182(c)(10)).

The EPA-approved Texas SIP already includes 30 TAC Section 116.12 (Nonattainment and Prevention of Significant Deterioration Review Definitions) and 30 TAC Section 116.150 (New Major Source or Major Modification in Ozone Nonattainment Area).⁹ These provisions require new major sources or major modifications at existing sources in the DFW and HGB areas to comply with the lowest achievable emission rate and obtain emission offsets at the serious classification ratio of 1.2 to 1.

Therefore, since the provisions in the Texas SIP already include the NNSR requirements specified by the CAA for serious ozone nonattainment areas, we are proposing to approve this portion of the two SIP revisions.

III. Proposed Action

We are proposing to approve portions of two revisions to the Texas SIP

submitted on May 13, 2020, that describe how CAA requirements for vehicle I/M and NNSR are met in the DFW and HGB serious ozone nonattainment areas for the 2008 ozone NAAQS.

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 Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely proposes to approve 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 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 proposed rule does not have tribal implications and 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).

List of Subjects in 40 CFR Part 52

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

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

Dated: February 5, 2021.

David Gray,

Acting Regional Administrator, Region 6.

[FR Doc. 2021-02758 Filed 2-26-21; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R03-OAR-2020-0320; FRL-10020-55-Region 3]

Air Plan Approval; Pennsylvania; 1997 8-Hour Ozone National Ambient Air Quality Standard Second Maintenance Plan for the Youngstown-Warren-Sharon Area; Reopening of Comment Period

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; reopening of public comment period.

SUMMARY: The Environmental Protection Agency (EPA) is reopening the comment period for a proposed rulemaking published in the **Federal Register** on October 30, 2020. EPA is reopening the comment period based on a request for a 15-day extension.

DATES: The comment period will reopen until March 16, 2021 to allow additional time for stakeholders to review and comment on the proposal. The comment period for the proposed rulemaking published October 30, 2020 (85 FR 68826), which ended on November 30, 2020, is being reopened. EPA must receive comments on or before March 16, 2021.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-R03-OAR-2020-0320 at <https://www.regulations.gov>, or via email to gordon.mike@epa.gov. For comments submitted at [Regulations.gov](https://www.regulations.gov), follow the online instructions for submitting

⁷ All population data in this paragraph are from the 1990 Census. The 1990 Census report for Texas is in the docket for this rulemaking.

⁸ Offsets are the ratio of total emissions reductions of NO_x or VOC to the emissions increase of such air pollutant.

⁹ See 60 FR 49781, September 27, 1995 and subsequent revisions at 77 FR 65119, October 25, 2012 and 79 FR 66626, November 10, 2014.

comments. Once submitted, comments cannot be edited or removed from *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://www.epa.gov/dockets/commenting-epa-dockets>.

FOR FURTHER INFORMATION CONTACT: Keila M. Pagán-Incle, Planning & Implementation Branch (3AD30), Air & Radiation Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. The telephone number is (215) 814-2926. Ms. Pagán-Incle can also be reached via electronic mail at pagan-incle.keila@epa.gov.

SUPPLEMENTARY INFORMATION: EPA proposed to approve a state implementation plan (SIP) revision submitted on March 10, 2020 by the Pennsylvania Department of Environmental Protection (PADEP). The SIP submittal (also referred to as “1997 8-hour Ozone National Ambient Air Quality Standard Second Maintenance Plan for the Youngstown-Warren-Sharon Area”) addresses Clean Air Act (CAA) requirements for the 1997 8-hour ozone national ambient air quality standard (NAAQS) in the Youngstown-Warren-Sharon Area. EPA’s October 30, 2020 notice proposed to approve the second maintenance plan for the Pennsylvania portion of the Youngstown-Warren-Sharon Area as a revision to the Pennsylvania SIP.

EPA is reopening the comment period based on an anonymous request to reopen the comment period. The commenter states they were unable to obtain information about EPA’s proposed rulemaking via email or phone from the EPA contact listed in the October 30, 2020 notice. After reviewing this request, EPA has determined that

the listed EPA contact was not available via email or phone during approximately half of the 30-day comment period. Therefore, EPA has decided to reopen the comment period for an additional 15 days to March 16, 2021. All comments received on or before March 16, 2021 will be entered into the public record and considered by EPA before taking final action on the proposed rulemaking. Comments submitted between the close of the original comment period and the re-opening of this comment period will be accepted and considered.

Dated: February 18, 2021.

Diana Esher,

Acting Regional Administrator, Region III.

[FR Doc. 2021-04106 Filed 2-26-21; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 62

[EPA-R05-OAR-2020-0518; FRL-10020-54-Region 5]

Air Plan Approval; Wisconsin; Large Municipal Waste Combustors Negative Declaration Withdrawal for Designated Facilities and Pollutants

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve Wisconsin’s request for withdrawal of the previously approved Large Municipal Waste Combustors (LMWC) Negative Declaration. The Wisconsin Department of Natural Resources (WDNR) submitted its LMWC Negative Declaration withdrawal on September 25, 2020, certifying that the State of Wisconsin has only one LMWC unit currently operating and requesting that the Federal plan continue to apply to the single source in the state.

DATES: Comments must be received on or before March 31, 2021.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-R05-OAR-2020-0518, at <http://www.regulations.gov> or via email to hulting.melissa@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, 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 <http://www2.epa.gov/dockets/commenting-epa-dockets>.

FOR FURTHER INFORMATION CONTACT: Margaret Sieffert, Environmental Engineer, Environmental Protection Agency, Region 5, 77 West Jackson Boulevard (AT-18J), Chicago, Illinois 60604, (312) 353-1151, sieffert.margaret@epa.gov.

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

I. Background

Section 111(d) of the Clean Air Act (Act) requires that EPA develop regulations providing that states must submit to EPA plans establishing standards of performance for certain existing sources of pollutants. A standard of performance would apply to the existing source associated with pollutants that are noncriteria pollutants (*i.e.*, pollutants for which there is no national ambient air quality standard) and are not on a list published under section 108 of the Act or emitted from a source category regulated under section 112 of the Act. Section 129 of the Act, and 40 CFR part 60, subpart B, apply the section 111(d) requirements to existing solid waste combustors, including LMWCs, and provide that EPA should include, as part of the performance standards, emissions guidelines (EGs) that include the plan elements required by section 129.

The regulation at 40 CFR part 60, subpart B, contains general provisions applicable to the adoption and submittal of state plans for subject facilities under sections 111(d) and 129 (111(d)/129 plan) and negative declarations if no such facilities exist in the state. 40 CFR part 62, subpart A, provides the procedural framework for the submission of the plans and negative