

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

interference Demonstration for Federal Low-Reid Vapor Pressure Requirement for the Birmingham Area” at the end of the table to read as follows:

**§ 52.50 Identification of plan.**

\* \* \* \* \*

(e) \* \* \*

**Subpart B—Alabama**

■ 2. Section 52.50(e) is amended by adding a new entry for “Non-

**EPA APPROVED ALABAMA NON-REGULATORY PROVISIONS**

Name of nonregulatory SIP provision	Applicable geographic or nonattainment area	State submittal date/effective date	EPA approval date	Explanation
* * *	* * *	* * *	* * *	* * *
Non-interference Demonstration for Federal Low-Reid Vapor Pressure Requirement for the Birmingham Area.	Jefferson and Shelby Counties.	11/14/2014	4/17/2015 [Insert citation of publication].	

[FR Doc. 2015–08884 Filed 4–16–15; 8:45 am]

BILLING CODE 6560–50–P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[EPA–R05–OAR–2014–0294; FRL–9926–29–Region–5]

**Approval and Promulgation of Air Quality Implementation Plans; Indiana; CO Monitoring**

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

**ACTION:** Direct final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is approving a revision to Indiana’s monitoring requirements as a revision to the State Implementation Plan (SIP). The SIP revision was submitted by Indiana to EPA on January 22, 2014. Once approved, the SIP would authorize emission units that combust sewage sludge to continuously monitor carbon monoxide emissions, consistent with Federal requirements.

**DATES:** This direct final rule will be effective June 16, 2015, unless EPA receives adverse comments by May 18, 2015. If adverse comments are received, EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** informing the public that the rule will not take effect.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA–R05–OAR–2014–0294, by one of the following methods:

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

2. *Email*: [blakley.pamela@epa.gov](mailto:blakley.pamela@epa.gov).

3. *Fax*: (312) 692–2490.

4. *Mail*: Pamela Blakley, Chief, Control Strategies Section, Air Programs Branch (AR–18J), U.S. Environmental

Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

5. *Hand Delivery*: Pamela Blakley, Chief, Control Strategies 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.

*Instructions:* Direct your comments to Docket ID No. EPA–R05–OAR–2014–0294. EPA’s policy is that all comments received will be included in the public docket without change and may be made available online at *www.regulations.gov*, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through *www.regulations.gov* or email. The *www.regulations.gov* Web site is an “anonymous access” system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through *www.regulations.gov* your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact

you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

*Docket:* All documents in the docket are listed in the *www.regulations.gov* index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in *www.regulations.gov* or in hard copy at the Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. This facility is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal holidays. We recommend that you telephone Matt Rau, Environmental Engineer, at (312) 886–6524 before visiting the Region 5 office.

**FOR FURTHER INFORMATION CONTACT:** Matt Rau, Environmental Engineer, Control Strategies Section, Air Programs Branch (AR–18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886–6524, [rau.matthew@epa.gov](mailto:rau.matthew@epa.gov).

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

- I. What is the background for this action?
- II. What is EPA’s analysis?
- III. What action is EPA taking?
- IV. Incorporation by Reference
- V. Statutory and Executive Order Reviews

## I. What is the background for this action?

On January 22, 2014, Indiana submitted a request to EPA to revise Title 326 of the Indiana Administration Code (IAC) Article 3—Monitoring Requirements, Rule 5—Continuous Monitoring of Emissions, Section 1—Applicability; Continuous Monitoring Requirements for Applicable Pollutants.

In the current SIP, 326 IAC 3–5–1(b)(6), requires sewage sludge combustion units to continuously monitor total hydrocarbons, oxygen, moisture, and temperature. The SIP revision provides the sewage sludge combustion units the option to monitor carbon monoxide emissions as an alternate to monitoring total hydrocarbons. In doing so, sources must also comply with a 100 parts-per-million (ppm) total carbon monoxide limit. The continuous carbon monoxide monitoring requirements are specified at 326 IAC 3–5–1(b)(6)(A)(i) and (ii).

The SIP revision is consistent with 40 CFR 503.40, the Federal Standards for the Incineration of Sewage Sludge. This Federal regulation, promulgated pursuant to the Clean Water Act, authorizes sewage sludge combustion sources to continuously monitor carbon monoxide as an alternative to continuously monitoring total hydrocarbons emissions. The regulation requires that the carbon monoxide monitoring be corrected for zero percent moisture and to seven percent oxygen.

## II. What is EPA's analysis?

In its approval of 40 CFR 503.40, EPA determined that sewage sludge incinerators are expected to meet the 100 ppm total hydrocarbon monthly limit when the monthly average carbon monoxide concentration does not exceed 100 ppm. See 59 FR 9099 (February 25, 1994). The Federal rule requires that the continuous carbon monoxide monitor must be corrected for zero percent moisture and to seven percent oxygen. The revision to 326 IAC 3–5–1 is consistent with the monitoring requirements in 40 CFR 503.40. EPA finds the requested revision to be approvable.

## III. What action is EPA taking?

EPA is approving a revision to 326 IAC 3–5–1 into the Indiana SIP. The SIP revision would authorize emission units that combust sewage sludge to continuously monitor carbon monoxide emissions, consistent with Federal requirements.

We are publishing this action without prior proposal because we view this as a noncontroversial amendment and

anticipate no adverse comments. However, in the proposed rules section of this **Federal Register** publication, we are publishing a separate document that will serve as the proposal to approve the state plan if relevant adverse written comments are filed. This rule will be effective June 16, 2015 without further notice unless we receive relevant adverse written comments by May 18, 2015. If we receive such comments, we will withdraw this action before the effective date by publishing a subsequent document that will withdraw the final action. All public comments received will then be addressed in a subsequent final rule based on the proposed action. 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. If we do not receive any comments, this action will be effective June 16, 2015.

## IV. Incorporation by Reference

In this rule, EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, EPA is finalizing the incorporation by reference of the Indiana Regulations described in the amendments to 40 CFR part 52 set forth below. EPA has made, and will continue to make, these documents generally available electronically through [www.regulations.gov](http://www.regulations.gov) and/or in hard copy at the appropriate EPA office (see the **ADDRESSES** section of this preamble for more information).

## VI. Statutory and Executive Order Reviews

Under the Clean Air Act (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 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 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).

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**.

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 June 16, 2015. 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. Parties with objections to this direct final rule are encouraged to file a comment in response to the parallel notice of proposed rulemaking for this action published in the proposed rules section

of this **Federal Register**, rather than file an immediate petition for judicial review of this direct final rule, so that EPA can withdraw this direct final rule and address the comment in the proposed rulemaking. 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, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: April 2, 2015.

**Susan Hedman,**

*Regional Administrator, Region 5.*

40 CFR part 52 is amended as follows:

#### EPA-APPROVED INDIANA REGULATIONS

Indiana citation	Subject	Indiana effective date	EPA Approval date	Notes
*	*	*	*	*
<b>Article 3. Monitoring Requirements</b>				
*	*	*	*	*
<b>Rule 5. Continuous Monitoring of Emissions</b>				
3–5–1 .....	Applicability; continuous monitoring requirements for applicable pollutants.	1/15/2014	4/17/2015, [insert <b>Federal Register</b> citation].	
*	*	*	*	*

\* \* \* \* \*

[FR Doc. 2015–08885 Filed 4–16–15; 8:45 am]

**BILLING CODE 6560–50–P**

#### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 52

[EPA–R09–OAR–2014–0861; FRL–9925–81–Region 9]

#### Approval and Promulgation of Air Quality Implementation Plans; Arizona; Regional Haze Federal Implementation Plan; Reconsideration

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

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is taking final action to revise certain provisions in the Arizona Regional Haze (RH) Federal Implementation Plan (FIP) that apply to the Nelson Lime Plant. In response to a

request for reconsideration from the plant’s owner, Lhoist North America of Arizona, Inc. (LNA), we are replacing the control technology demonstration requirements for emissions of nitrogen oxides (NO<sub>x</sub>) applicable to Kilns 1 and 2 at the Nelson Lime Plant with revised recordkeeping and reporting requirements. We are not revising any of the emission limits that apply to these units, including the existing NO<sub>x</sub> emission limits, which can be met with selective non-catalytic reduction (SNCR) control technology. We also are taking final action to correct a misprint of the regulatory requirements in a table in the Arizona RH FIP that identifies the emission limits for NO<sub>x</sub> and sulfur dioxide (SO<sub>2</sub>) at each kiln.

**DATES:** *Effective date:* This rule is effective May 18, 2015.

**ADDRESSES:** EPA has established docket number EPA–R09–OAR–2014–0861 for this action. Generally, documents in the docket are available electronically at <http://www.regulations.gov> or in hard

#### 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. In § 52.770, the table in paragraph (c) is amended by revising the entry for 3–5–1 under “Article 3. Monitoring Requirements”, “Rule 5. Continuous Monitoring of Emissions” to read as follows:

#### § 52.770 Identification of plan.

\* \* \* \* \*

(c) \* \* \*

copy at EPA Region 9, 75 Hawthorne Street, San Francisco, California. Please note that while many of the documents in the docket are listed at <http://www.regulations.gov>, some information may not be specifically listed in the index to the docket and may be publicly available only at the hard copy location (e.g., copyrighted material, large maps, multi-volume reports, or otherwise voluminous materials), and some may not be available at either locations (e.g., confidential business information). To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed directly below.

#### FOR FURTHER INFORMATION CONTACT:

Thomas Webb, U.S. EPA, Region 9, Planning Office, Air Division, Air–2, 75 Hawthorne Street, San Francisco, CA 94105. Thomas Webb can be reached at telephone number (415) 947–4139 and via electronic mail at [webb.thomas@epa.gov](mailto:webb.thomas@epa.gov).

#### SUPPLEMENTARY INFORMATION: