6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R05-OAR-2018-0840 FRL-9992-92-Region 5]

Air Plan Approval; Wisconsin; Infrastructure SIP Requirements for the 2012 $PM_{2.5}$ NAAQS; Interstate Transport

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve elements of the State Implementation Plan (SIP) submission from the Wisconsin Department of Natural Resources (WDNR) regarding the infrastructure requirements of section 110 of the Clean Air Act (CAA) for the 2012 annual fine particulate matter ($PM_{2.5}$) National Ambient Air Quality Standard (NAAQS or standard). The infrastructure requirements are designed to ensure that the structural components of each state's air quality management program are adequate to meet the state's responsibilities under CAA. This action pertains specifically to infrastructure requirements in the Wisconsin SIP concerning interstate transport provisions.

DATES: Comments must be received on or before **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].**

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-R05-OAR-2018-0840 at https://www.regulations.gov, or via email

to aburano.douglas@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 https://www2.epa.gov/dockets/commenting-epa-dockets.

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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 of this SIP submission?

II. What guidance and memoranda is EPA using to evaluate this SIP submission?

III. WDNR's analysis and conclusion

IV. EPA's additional analysis, review, and conclusion

V. What action is EPA taking?

VI. Statutory and Executive Order Reviews

I. What is the background of this SIP submission?

This rulemaking addresses a submission from the WDNR dated November 26, 2018, which describes its infrastructure SIP for the 2012 annual $PM_{2.5}$ NAAQS (78 FR 3086, January 15, 2013). Specifically, this rulemaking addresses the portion of the submission dealing with interstate pollution transport under CAA section 110(a)(2)(D)(i), otherwise known as the "good neighbor" provision. The requirement for states to make a SIP submission of this type arises from section 110(a)(1) of the CAA, pursuant to which states must submit "within 3 years (or such shorter period as the Administrator may prescribe) after the promulgation of a national primary ambient air quality standard

(or any revision thereof)," a plan that provides for the "implementation, maintenance, and enforcement" of such NAAQS. Section 110(a)(2) of the CAA includes a list of specific elements that "each such plan" submission must address. EPA commonly refers to such state plans as "infrastructure SIPs." State plans must address four requirements of the good neighbor provisions (commonly referred to as "prongs"), including:

- Prong 1: Prohibiting any source or other type of emissions activity in one state from contributing significantly to nonattainment of the NAAQS in another state;

- Prong 2: Prohibiting any source or other type of emissions activity in one state from interfering with maintenance of the NAAQS in another state;

- Prong 3: Prohibiting any source or other type of emissions activity in one state from interfering with measures required to prevent significant deterioration (PSD) of air quality in another state; and

- Prong 4: Protecting visibility in another state.

This rulemaking is evaluating whether Wisconsin's interstate transport provisions in its $PM_{2.5}$ infrastructure SIP meet prongs one and two of the good neighbor requirements of the CAA. Prongs three and four will be evaluated in a separate rulemaking.

EPA has developed a consistent framework for addressing the

prong one and two interstate transport requirements with respect to the $PM_{2.5}$ NAAQS in several previous Federal rulemakings. The four basic steps of that framework include: (1) identifying downwind receptors that are expected to have problems attaining or maintaining the NAAQS; (2) identifying which upwind states contribute to these identified problems in amounts sufficient to warrant further review and analysis; (3) for states identified as contributing to downwind air quality problems, identifying upwind emissions reductions necessary to prevent an upwind state from significantly contributing to nonattainment or interfering with maintenance of the NAAQS downwind; and (4) for states that are found to have emissions that significantly contribute to nonattainment or interfere with maintenance of the NAAQS downwind, reducing the identified upwind emissions through adoption of permanent and enforceable measures. This framework was most recently applied with respect to $PM_{2.5}$ in the August 8, 2011 Cross-State Air Pollution Rule (CSAPR) (76 FR 48208), designed to address both the 1997 and 2006 $PM_{2.5}$ standards, as well as the 1997 and 2008 ozone standards.

II. What guidance and memoranda is EPA using to evaluate this SIP submission?

EPA highlighted the statutory requirement to submit infrastructure SIPs within three years of promulgation of a new NAAQS in an October 2, 2007 guidance document entitled "Guidance

on SIP Elements Required Under Sections 110(a)(1) and (2) for the 1997 8-hour Ozone and $PM_{2.5}$ National Ambient Air Quality Standards." EPA has issued additional guidance documents and memoranda, including a September 13, 2013 guidance document titled "Guidance on Infrastructure State Implementation Plan (SIP) Elements under Clean Air Act Sections 110(a)(1) and 110(a)(2)."

The most recent relevant document is a memorandum published on March 17, 2016, titled "Information on the Interstate Transport 'Good Neighbor' Provision for the 2012 Fine Particulate Matter National Ambient Air Quality Standards under Clean Air Act Section 110(a)(2)(D)(i)(I)" (2016 memorandum). The 2016 memorandum describes EPA's consistent approach over the years to address interstate transport. In the 2016 memorandum, EPA reviewed relevant modeling data and provided EPA's air quality projections as they relate to the 2012 annual $PM_{2.5}$ NAAQS. The 2016 memorandum provides information relevant to EPA Regional office review of CAA section 110 (a)(2)(D)(i)(I) "good neighbor" provision in infrastructure SIPs with respect to the 2012 annual $PM_{2.5}$ NAAQS. WDNR's submittal and this rulemaking consider information provided in that memorandum.

The 2016 memorandum provides states and EPA Regional offices with future year annual $PM_{2.5}$ design values for monitors in the United States based on quality-assured and certified

ambient monitoring data and air quality modeling. The 2016 memorandum further describes how these projected potential design values can be used to help determine which monitors should be further evaluated to potentially address whether emissions from other states significantly contribute to nonattainment or interfere with maintenance of the 2012 annual $PM_{2.5}$ NAAQS at those sites. The 2016 memorandum explains that, for purposes of addressing interstate transport for the 2012 $PM_{2.5}$ NAAQS, it may be appropriate to evaluate projected air quality in 2021, which is the attainment deadline for 2012 $PM_{2.5}$ NAAQS nonattainment areas classified as Moderate. Accordingly, because the available data includes 2017 and 2025 projected average and maximum $PM_{2.5}$ design values calculated through the CAMx photochemical model, the 2016 memorandum suggests approaches states might use to interpolate $PM_{2.5}$ values at sites in 2021. The 2016 memorandum indicates that it may be reasonable to assume receptors projected to have average and/or maximum design values above the NAAQS in both 2017 and 2025 are also likely to be either nonattainment or maintenance receptors in 2021. Similarly, the 2016 memorandum indicates that it may be reasonable to assume that receptors that are projected to attain the NAAQS in both 2017 and 2025 are also likely to be attainment receptors in 2021. However, where a potential receptor is projected to be nonattainment or maintenance in

2017, but projected to be attainment in 2025, the 2016 memorandum suggests that further analysis of the emissions and modeling may be needed to make a further judgement regarding the receptor status in 2021.

The 2016 memorandum indicates that for all but one monitoring site in the eastern United States, with complete and valid $PM_{2.5}$ design values from 2009 to 2013, the modeling data shows that monitors were expected to both attain and maintain the 2012 annual $PM_{2.5}$ NAAQS in both 2017 and 2025. The modeling results provided in the 2016 memorandum show that out of seven $PM_{2.5}$ monitors located in Allegheny County, Pennsylvania, one monitor is expected to be above the 2012 annual $PM_{2.5}$ NAAQS in 2017. Further, that monitor, the Liberty monitor (ID number 420030064), is projected to be above the NAAQS only under the model's maximum projected conditions (used in EPA's interstate transport framework to identify maintenance receptors) and is projected to both attain and maintain the NAAQS (along with all Allegheny County monitors) in 2025. The 2016 memorandum therefore indicates that under such a condition (where EPA's photochemical modeling indicates an area will maintain the 2012 annual $PM_{2.5}$ NAAQS in 2025 but not attain in 2017) further analysis of the site should be performed to determine if the site may be a nonattainment or maintenance receptor in 2021 (the attainment deadline for moderate $PM_{2.5}$ areas).

The 2016 memorandum also indicates that based on modeling projections, there are 17 potential nonattainment or maintenance receptors in California, located in the San Joaquin Valley and South Coast nonattainment areas, and one potential receptor in Shoshone County, Idaho.

The 2016 memorandum also indicates that for certain states with incomplete ambient monitoring data, additional information including the latest available data should be analyzed to determine whether there are potential downwind air quality problems that may be impacted by transported emissions. These states include all or portions of Florida, Illinois, Idaho (outside of Shoshone County), Tennessee, and Kentucky. Except for four counties in Florida, the data quality problems have been resolved for these areas, and these areas now have current design values below the 2012 annual $PM_{2.5}$ NAAQS and are expected to maintain the NAAQS due to downward emission trends for nitrogen oxides (NO_x) and sulfur dioxide (SO_2).

WDNR's submittal indicates that the State used data from the 2016 memorandum and supplied its own additional information in its analysis. EPA considered the analysis from WDNR, as well as additional analysis conducted by EPA, in its review of the WDNR submittal.

III. WDNR's analysis and conclusion

WDNR's submittal contains a technical analysis of its

interstate transport of pollution relative to the 2012 annual $PM_{2.5}$ NAAQS. As reflected in the EPA's 2016 memorandum, the only receptor identified as nonattainment or maintenance on which Wisconsin was deemed to have potential significant impact is the Liberty monitor (42-003-0064) in Allegheny County, Pennsylvania located in southwest Pennsylvania. In its technical analysis, WDNR examined geographical, monitoring, and emission factors to evaluate impacts on the Allegheny monitor. As stated previously, WDNR's technical analysis considers CSAPR rule implementation and EPA guidance and memoranda. WDNR did not focus on potential contribution to other areas EPA identified as not attaining the 2012 annual $PM_{2.5}$ NAAQS based on monitor data in Alaska, California, Idaho, Nevada, or Hawaii. The distance between Wisconsin and these areas, coupled with the prevailing wind directions, leads WDNR to conclude that Wisconsin will not contribute significantly to any of the potential receptors in those states. Since the Allegheny County, Pennsylvania, receptor is the only location considered downwind of Wisconsin, this submission focuses on that single receptor. WDNR concluded that Wisconsin contributes no significant impacts to the maintenance and attainment of NAAQS for $PM_{2.5}$ in Allegheny County, Pennsylvania, and therefore existing measures satisfy Wisconsin's responsibilities under CAA section 110(a)(2)(D)(i)(I).

WDNR's submission discussed geographical factors that show Wisconsin does not contribute to the nonattainment issues at the Allegheny monitor. As stated in WDNR's submittal, Wisconsin's nearest point to the Allegheny monitor is about 500 miles away. At this large distance, $PM_{2.5}$ precursor emissions from Wisconsin are thoroughly dispersed in the atmosphere long before reaching Pennsylvania.

WDNR's submission evaluated monitored $PM_{2.5}$ concentrations in Wisconsin. WDNR found that $PM_{2.5}$ monitors in all regions of Wisconsin have measured a steady decrease in annual $PM_{2.5}$ concentrations over the past decade. $PM_{2.5}$ design values decreased by around 37% on average in most of the state between 2001-2003 and 2015 to 2017.

WDNR's submission also evaluated the Wisconsin emissions data from EPA's National Emissions Inventory (NEI) of NO_x, SO_2, and Volatile Organic Compounds (VOCs). Emissions of NO_x and SO_2 have been steadily decreasing since the early 2000s due to state and Federal control requirements. The emissions of NO_x and SO_2 in Wisconsin from all identified sources have decreased by 50% and 68%, respectively, since 2002. VOC emissions also decreased 50% over this period.

WDNR concludes that that no further measures are necessary to satisfy Wisconsin's responsibilities under CAA section 110(a)(2)(D)(i)(I), because Wisconsin does not contribute to

projected nonattainment or maintenance issues at the Liberty monitor site. WDNR found that is has not historically contributed significantly to any of the areas projected to have nonattainment or maintenance concerns related to this NAAQS. In addition, emissions of $PM_{2.5}$ precursors and monitored $PM_{2.5}$ concentrations are both decreasing within the State. Therefore, the permanent and enforceable control measures already being implemented in Wisconsin are sufficient to ensure that emissions in the State will not significantly contribute to nonattainment, or interfere with maintenance, in any downwind state for this NAAQS.

IV. EPA's additional analysis, review, and conclusion

The modeling information contained in EPA's 2016 memorandum shows that one monitor in Allegheny County, Pennsylvania (the Liberty monitor, 420030064) may have a maintenance issue in 2017, but is projected to both attain and maintain the NAAQS by 2025. Monitoring data from 2015-2017 show attainment county-wide, except for the Liberty-Clairton area. The Liberty monitor was exceeding standards in 2017 but is still projected to attain and maintain the NAAQS by 2025. A linear interpolation of the modeled design values to 2021 shows that the monitor is likely to both attain and maintain the standard by 2021. Emissions and air quality data trends help to corroborate this interpolation.

Over the last decade, local and regional emissions

reductions of primary $PM_{2.5}$, SO_2, and NO_x, have led to large reductions in annual $PM_{2.5}$ design values in Allegheny County, Pennsylvania. In 2007, all of Allegheny County's $PM_{2.5}$ monitors exceeded the level of the 2012 annual $PM_{2.5}$ NAAQS (the 2005-2007 annual average design values ranged from 12.9-19.8 micrograms per cubic meter ($\mu g/m^3$), as shown in Table 1). The 2015-2017 annual average $PM_{2.5}$ design values now show that only one monitor (Liberty, at 13.0 $\mu g/m^3$) exceeds the health-based annual $PM_{2.5}$ NAAQS of 12.0 $\mu g/m^3$.

Table 1. $PM_{2.5}$ Annual Design Values in $\mu g/m^3$.

Monitor	**2005-2007**	**2006-2008**	**2007-2009**	**2008-2010**	**2009-2011**	**2010-2012**	**2011-2013**	**2012-2014**	**2013-2015**	**2014-2016**	**2015-2017**
Avalon				16.3*	14.7*	13.4	11.4	10.6	10.6	10.4*	10.2*
Lawrenceville	15.0	14.0	13.1	12.2	11.6	11.1	10.3	10.0	9.7	9.5	9.2
Liberty	19.8	18.3	17.0	16.0	15.0	14.8	13.4	13.0	12.6	12.8	13.0
South Fayette	12.9	11.8*	11.7	11.1	11.0	10.5	9.6	9.0	8.8	8.5*	8.4*
North Park	13.0*	12.3*	11.3*	10.1*	9.7	9.4	8.8	8.5	8.5	8.2*	8.2*
Harrison	15.0	14.2	13.7	13.0	12.4	11.7*	10.6	10.0	9.8	9.8	9.8
North Braddock	16.2	15.2	14.3	13.3	12.7	12.5	11.7*	11.4	11.2	11.0	10.8
Parkway East Near-Road										10.6*	10.6*
Clairton	15.3	14.3	13.2	12.4	11.5*	10.9*	9.8*	9.5	9.8	9.8*	9.8*

* Value does not contain a complete year worth of data.

The Liberty monitor is already close to attaining the NAAQS and expected emissions reductions in the next three years will lead to additional reductions in measured $PM_{2.5}$ concentrations. There are both local and regional components to the measured $PM_{2.5}$ levels in Allegheny County and the greater Pittsburgh area. Previous CSAPR modeling showed that regional emissions from upwind states, particularly SO_2 and NO_x emissions, contribute to $PM_{2.5}$ nonattainment at the Liberty monitor. In recent years,

large SO_2 and NO_x reductions from power plants have occurred in Pennsylvania and states upwind from the Greater Pittsburgh region. Based on existing CSAPR budgets, Pennsylvania's energy sector emissions of SO_2 will have decreased 166,000 tons between 2015-2017 because of CSAPR implementation. This is due to both the installation of emissions controls and retirements of electric generating units.

Between 2011 and 2016, 27.4 gigawatts of coal-fired electric generation units (EGUs) have retired in Pennsylvania and the closest upwind states (West Virginia, Ohio, Kentucky, Indiana, Illinois, and Michigan) according to the Energy Information Administration's Preliminary Monthly Electric Generator Inventory, April 2017 (form EIA-860M, at: https://www.eia.gov/electricity/data/eia860m/xls/april_generator2017.xlsx). In addition, between 2017 and 2021, an additional 8.8 gigawatts of coal-fired EGUs are expected to retire in the same upwind states. This includes large EGUs such as JM Stuart in Ohio (2,308 megawatts [MW]), Killen Station in Ohio (600 MW), WH Sammis in Ohio (720 MW), Michigan City in Indiana (469 MW), Baldwin Energy Complex in Illinois (576 MW), Paradise in Kentucky (1,230 MW), and Baily in Indiana (480 MW). These regional coal unit retirements will lead to further emissions reductions which will help ensure that Alleghany County monitors will not have nonattainment or maintenance issues by 2021.

In addition to regional emissions reductions and plant closures noted above, additional local reductions in both direct $PM_{2.5}$ and SO_2 emissions are also expected to occur and should also contribute to further declines in Allegheny County's $PM_{2.5}$ monitor concentrations. For example, significant SO_2 reductions will occur at U.S. Steel's integrated steel mill facilities in southern Allegheny County due to reductions required via federally-enforceable permits issued by Allegheny County to support its attainment plan submitted to meet requirements in CAA section 172(c) for the 1-hr SO_2 NAAQS. Reductions occurred in October 2018 largely due to declining sulfur content in the Clairton Coke Work's coke oven gas (COG) due to upgraded controls. Because this COG is burned at U.S. Steel's Clairton Coke Works, Irvin Mill, and Edgar Thompson Steel Mill, these reductions in sulfur content contribute to much lower $PM_{2.5}$ formation from precursors after October 4, 2018 as SO_2 is a precursor to $PM_{2.5}$. Additionally, the expected retirement of the Bruce Mansfield Power Plant by June 2021 should reduce precursor emissions from neighboring Beaver County, Pennsylvania. The Allegheny County and Beaver County SO_2 SIP submissions, which EPA is reviewing pursuant to CAA requirements, also discuss expected lower SO_2 emissions in the Allegheny County area resulting from reduced sulfur content requirements in vehicle fuels, reductions in general emissions due to declining population in the Greater

Pittsburgh region, and several shutdowns of significant emitters of SO_2 in Allegheny County.

Projected power plant closures and additional emissions controls in Pennsylvania and upwind states will help further reduce both direct $PM_{2.5}$ and $PM_{2.5}$ precursors. Regional emission reductions will continue to occur from current on-the-books Federal and state regulations such as the Federal on-road and non-road vehicle programs, and various rules for major stationary emissions sources.

EPA modeling projections, the recent downward trend in local and upwind emissions reductions, the expected continued downward trend in emissions between 2018 and 2021, and the downward trend in monitored $PM_{2.5}$ concentrations all indicate that the Liberty monitor will attain and be able to maintain the 2012 annual $PM_{2.5}$ NAAQS by 2021.

With respect to Florida, in the CSAPR modeling analysis for the 1997 $PM_{2.5}$ NAAQS, Florida did not have any potential nonattainment or maintenance receptors identified for the 1997 or 2006 $PM_{2.5}$ NAAQS. At this time, EPA anticipates that this trend will continue; however, as there are ambient monitoring data gaps in the 2009-2013 data that could have been used to identify potential $PM_{2.5}$ nonattainment and maintenance receptors for Miami/Dade, Gilchrist, Broward and Alachua counties in Florida, the modeling analysis of potential receptors was not

complete for these counties. However, the most recent ambient data (2015-2017) for these counties indicates design values well below the level of the 2012 annual $PM_{2.5}$ NAAQS. In addition, the highest value for these observed monitors is 8.0 $\mu g/m^3$ at the Hillsborough County monitor (12-057-3002), which is well below the NAAQS. This is also consistent with historical data: complete and valid design values in the 2006-2008, 2007-2009 and/or 2008-2010 periods for these counties were all well below the 2012 annual $PM_{2.5}$ NAAQS. For these reasons, we find that none of the counties in Florida with monitoring gaps between 2009-2013 should be considered either nonattainment or maintenance receptors for the 2012 annual $PM_{2.5}$ NAAQS. Accordingly, we propose to find that emissions from Wisconsin will not significantly contribute to nonattainment or interfere with maintenance of the 2012 annual $PM_{2.5}$ NAAQS in Florida.

The conclusions of WDNR's analysis is consistent with EPA's expanded review of its submittal. The area (Allegheny County, Pennsylvania) to which Wisconsin's sources potentially contribute is expected to attain and maintain the 2012 annual $PM_{2.5}$ NAAQS, and as demonstrated in WDNR's submittal, Wisconsin will not contribute to projected nonattainment or maintenance issues at any sites in 2021. WDNR's analysis shows that through permanent and enforceable measures currently contained in its SIP and other emissions reductions occurring in Wisconsin,

monitored $PM_{2.5}$ air quality in the identified area that Wisconsin sources may impact will continue to improve, and that no further measures are necessary to satisfy Wisconsin's responsibilities under CAA section 110(a)(2)(D)(i)(I). Therefore, EPA is proposing that prongs one and two of the interstate pollution transport element of Wisconsin's infrastructure SIP are approvable.

V. What action is EPA taking?

EPA is proposing to approve a portion of WDNR's November 26, 2018 submittal certifying that the current Wisconsin SIP is sufficient to meet the required infrastructure requirements under CAA section 110(a)(2)(D)(i)(I), specifically prongs one and two, as set forth above.

VI. 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. *See* 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);
- Is not an Executive Order 13771 (82 FR 9339, February 2, 2017) regulatory action because SIP approvals are exempted 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 (Public Law 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).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Particulate matter, Reporting and recordkeeping requirements.

Dated: April 17, 2019.

Cathy Stepp,
Regional Administrator, Region 5.

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