SUMMARY: The Environmental Protection Agency (EPA) is approving a revision to the Indiana State Implementation Plan (SIP) to meet the base year emissions inventory, reasonable further progress (RFP), RFP contingency measure, nonattainment new source review (nonattainment NSR), volatile organic compound (VOC) reasonably available control technology (RACT), and motor vehicle inspection and maintenance (I/M) requirements of the Clean Air Act (CAA) for the Indiana portion of the Chicago-Naperville, Illinois-Indiana-Wisconsin area (Chicago area) for the 2008 ozone national ambient air quality standard (NAAQS or standard). EPA is also approving the 2017 transportation conformity motor vehicle emissions budgets (MVEBs) for the Indiana portion of the Chicago area for the 2008 ozone NAAQS. EPA is approving the state’s submission as a SIP revision pursuant to section 110 and part D of the CAA and EPA’s regulations because it satisfies the emission inventory, RFP, RFP contingency measure, nonattainment NSR, VOC RACT, I/M, and transportation conformity requirements for areas classified as moderate nonattainment for the 2008 ozone NAAQS. EPA is certifying as not having a significant economic impact on a substantial number of small entities and certifies as not having 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).
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 12898 (59 FR 7629, February 16, 1994).

In those areas of Indian tribe has demonstrated that a health or environmental effects, using appropriate, disproportionate human discretion to address, as practicable and legally permissible methods, under Executive Order 12898 (5 U.S.C. 804(2)).

The rule does not have 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 April 15, 2019. 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. 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, Incorporation by reference, Intergovernmental relations, Oxides of nitrogen, Ozone, Volatile organic compounds.


James O. Payne,

Acting Regional Administrator, Region 5.

40 CFR part 52 is amended as follows:

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 (e) is amended by adding an entry in alphabetical order for “Lake and Porter Counties 2008 8-hour Ozone Moderate Planning Elements” to read as follows:

<table>
<thead>
<tr>
<th>Title</th>
<th>Indiana date</th>
<th>EPA approval</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lake and Porter Counties 2008 8-hour Ozone Moderate Planning Elements.</td>
<td>2/28/2017 and 1/9/2018</td>
<td>2/13/2019, [Insert Federal Register citation].</td>
<td>2011 base emissions inventory, Reasonable Further Progress (RFP) plan, RFP contingency measure plan, 2017 VOC and NOx motor vehicle emissions budgets, nonattainment new source review certification, VOC reasonable further progress certification, and enhanced motor vehicle inspection and maintenance program certification.</td>
</tr>
</tbody>
</table>

[FR Doc. 2019–02212 Filed 2–12–19; 8:45 am]
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EPA-APPROVED INDIANA NONREGULATORY AND QUASI-REGULATORY PROVISIONS

<table>
<thead>
<tr>
<th>Title</th>
<th>Indiana date</th>
<th>EPA approval</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>ENVIRONMENTAL PROTECTION AGENCY</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>40 CFR Part 62</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Air Plan Approval; Indiana; Negative Declarations for Commercial and Industrial Solid Waste Incineration and Sewage Sludge Incineration Units for Designated Facilities and Pollutants</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is notifying the public that we have received from Indiana requests for withdrawals of the previously approved state plans and notification of negative declarations for Commercial and Industrial Solid Waste Incineration (CISWI) units and Sewage Sludge Incineration (SSI) units. The Indiana Department of Environmental Management (IDEM) submitted its CISWI withdrawal and negative declaration by letter dated July 31, 2017 and its SSI withdrawal and negative