

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

Dated: February 8, 2023.

Earthea Nance,

Regional Administrator, Region 6.

[FR Doc. 2023–03128 Filed 2–16–23; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R10–OAR–2022–0115; FRL–9755–03–R10]

Air Plan Partial Approval and Partial Disapproval; AK, Fairbanks North Star Borough; 2006 24-Hour PM_{2.5} Serious Area and 189(d) Plan; Extension of Comment Period and Public Hearing

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; extension of comment period; and notification of public hearing.

SUMMARY: The Environmental Protection Agency (EPA) is announcing a public hearing to be held for the proposed action titled, “Air Plan Partial Approval and Partial Disapproval; AK, Fairbanks North Star Borough; 2006 24-hour PM_{2.5} Serious Area and 189(d) Plan” which was published in the **Federal Register** on January 10, 2023. The EPA is also announcing the extension of the comment period for the proposed rulemaking to allow for sufficient time after the public hearing for commenters to submit comments.

DATES:

Written comments: The comment period for the proposed rulemaking published January 10, 2023 (88 FR 1454), is extended. The EPA must receive comments on the proposed action on or before March 22, 2023.

Public hearing. A public hearing will be held on March 7, 2023, to provide interested parties the opportunity to present information and opinions to the EPA concerning the proposed action. For further information on the public hearing, please see the **SUPPLEMENTARY INFORMATION** section.

ADDRESSES:

Public hearing. The public hearing will be held at the Wood Center, University of Alaska Fairbanks, 1731 S Chandalar Drive, Fairbanks, AK 99775. Additional information on the public hearing is provided in the **SUPPLEMENTARY INFORMATION** section of this document.

Written Comments. Submit your written comments, identified by Docket ID No. EPA–R10–OAR–2022–0115, at

<https://www.regulations.gov>. Please refer to the EPA’s proposed action published in the **Federal Register** on January 10, 2023 (88 FR 1454), for instructions for submitting written comments.

FOR FURTHER INFORMATION CONTACT:

Matthew Jentgen, EPA Region 10, 1200 Sixth Avenue—Suite 155, Seattle, WA 98101, (206) 553–0340, jentgen.matthew@epa.gov.

SUPPLEMENTARY INFORMATION: The EPA is holding a hearing on its proposed action on the Fairbanks North Star Borough 2006 24-hour PM_{2.5} Serious Area and 189(d) Plans. The EPA’s proposed action was published in the **Federal Register** on January 10, 2023, (88 FR 1454).

The public hearing will be held on March 7, 2023, and will begin at 2 p.m. Alaska Standard Time (AKST). There will be a half hour break for dinner beginning at 5 p.m. The public hearing will re-start at 5:30 p.m. and will conclude at 8 p.m. AKST.

The hearing will be limited to the subject matter of the proposed action published in the **Federal Register** on January 10, 2023 (88 FR 1454). A 3-minute time limit may be placed on all oral testimony. The EPA may ask clarifying questions during oral testimony but will not respond to comments at that time. The EPA will not be providing equipment for commenters to show overhead slides or make computerized slide presentations. All oral testimony will be transcribed verbatim. The EPA will publish the verbatim transcript to the public docket for this action.

If you require the services of a translator or special accommodations such as audio description, please pre-register for the hearing by contacting the person in the **FOR FURTHER INFORMATION CONTACT** section of this document and describe your needs by March 1, 2023. The EPA may not be able to arrange accommodations without advance notice.

Written comments may also be submitted at the public hearing. Written statements and supporting information submitted during the comment period will be considered with the same weight as any oral comments and supporting information presented at the public hearing. The EPA recommends submitting the text of your oral comments as written comments to the rulemaking Docket ID No. EPA–R10–OAR–2022–0115, which can be found at <https://www.regulations.gov>.

In the final rule, the EPA will provide a written response to all relevant written and oral comments received during the

comment period on the proposed rule. A transcript of the hearing and written comments will be made available upon request from the person listed in the **FOR FURTHER INFORMATION CONTACT** section in this document, and will be included in the public docket for this action.

Dated: February 13, 2023.

Krishnaswamy Viswanathan,

Director, Air and Radiation Division, Region 10.

[FR Doc. 2023–03419 Filed 2–16–23; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R10–OAR–2022–0753, FRL–10190–01–R10]

Air Plan Approval; ID; State Board Composition

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) proposes to approve a revision to the Idaho State Implementation Plan submitted on August 9, 2022. The State of Idaho made the submission to meet the state board composition requirements of the Clean Air Act.

DATES: Comments must be received on or before March 20, 2023.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R10–OAR–2022–0753, at 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). The EPA may publish any comment received to its public docket. Do not electronically submit any information you consider to be Confidential Business Information or other information the disclosure of which 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. The 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, the full EPA public comment policy, information about Confidential Business Information or multimedia submissions, and general guidance on making

effective comments, please visit www.epa.gov/dockets/commenting-epa-dockets.

FOR FURTHER INFORMATION CONTACT: Kristin Hall, EPA Region 10, 1200 Sixth Avenue, Suite 155, Seattle, WA 98101, at (206) 553-6357 or hall.kristin@epa.gov.

SUPPLEMENTARY INFORMATION: Throughout this document, the use of “we” is intended to refer to the EPA.

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I. Background

Clean Air Act section 128 requires that each State Implementation Plan (SIP) include provisions to regulate state boards and agency heads that approve permits or enforcement orders under the Clean Air Act. The section has two subsections. The first, 128(a)(1), governs board composition and requires that at least a majority of board members represent the public interest and do not derive any significant portion of income from persons subject to permits or enforcement orders under the Clean Air Act. The second, 128(a)(2), requires that board members and agency heads with similar powers adequately disclose any potential conflicts of interest.

The current Idaho SIP includes two provisions that were approved by the EPA as meeting the Clean Air Act state board requirements, most recently in 2013.¹ Specifically, we approved the Idaho Governor’s Executive Order regarding Appointment of Members of the Board of Environmental Quality as meeting the board composition requirements of section 128(a)(1),² and we approved the Idaho Ethics in Government Act as meeting the conflict of interest disclosure requirements of section 128(a)(2).³

Since that time, the Idaho Legislature updated State statute to effectively replace the prior executive order. Specifically, the legislature updated Idaho Code section 39-107, which establishes requirements to be followed

when appointing members to the Idaho Board of Environmental Quality.⁴ On August 9, 2022, the Idaho Department of Environmental Quality submitted the statutory revision to the EPA for approval.

II. Evaluation

The revision to Idaho Code section 39-107, at paragraph (1)(a), adds the requirement that at least four of the seven members of the Idaho Board of Environmental Quality must represent the public interest and not derive any significant portion of their income from persons subject to air quality permits or enforcement orders.

After reviewing the submission, we have determined that Idaho Code 39-107, State effective July 1, 2022, is consistent with Clean Air Act section 128(a)(1) requirements.⁵

III. Proposed Action

The EPA is proposing to approve Idaho’s August 9, 2022 SIP revision as meeting the board composition requirements of Clean Air Act section 128(a)(1). Specifically, we propose to approve and incorporate by reference Idaho Code 39-107, State effective July 1, 2022, into the Idaho SIP at 40 CFR 52.670(c).⁶ As discussed in Section II of this preamble, this statutory provision replaces a prior executive order issued by the Idaho Governor and approved by the EPA as meeting the same requirements. Therefore, we are proposing to remove the prior executive order from the Idaho SIP at 40 CFR 52.670(e).⁷

IV. Incorporation by Reference

In this document, the EPA is proposing to include in a final rule, regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is proposing to incorporate by reference the provision described in Section III of this preamble. The EPA has made, and will continue to make, these documents generally

available through regulations.gov and at the EPA Region 10 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

IV. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Clean Air 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 Clean Air Act. Accordingly, this proposed 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 proposed 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 the requirements would be inconsistent with the Clean Air Act; and
- Does not provide the 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).

⁴ The EPA first approved this statutory provision into the Idaho SIP on July 28, 1982 (47 FR 32530), and approved a subsequent revision on January 16, 2003 (68 FR 2217).

⁵ We note that Idaho’s August 9, 2022 SIP revision addresses the board composition requirement under CAA section 128(a)(1). The revision does not affect EPA’s prior determination that the Idaho SIP satisfies CAA section 128(a)(2), and that prior determination is outside the scope of this action.

⁶ 40 CFR 52.670(c) consists of EPA approved regulatory provisions.

⁷ Executive Order 2013-06, dated June 26, 2013, and renewed by Executive Order 2016-07, dated December 14, 2016. 40 CFR 52.670(e) consists of EPA approved nonregulatory provisions and quasi-regulatory measures.

¹ 78 FR 63394, October 24, 2013.

² Executive Order 2013-06, dated June 26, 2013, and renewed by Executive Order 2016-07, dated December 14, 2016.

³ Idaho Code sections 59-701 through 59-705, subsequently relocated to Idaho Code Title 74 Chapter 4, effective July 1, 2015. See 84 FR 14067, April 9, 2019 for the EPA’s proposed determination that the relevant, substantive components of the law, approved for purposes of SIP authority, were retained in the recodification, and see 85 FR 57723, September 16, 2020, finalizing that rulemaking action.

In addition, this proposed rulemaking would not apply on any Indian reservation land or in any other area in Idaho where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the proposed rule would not have tribal implications 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, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

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

Dated: February 10, 2023.

Casey Sixkiller,

Regional Administrator, Region 10.

[FR Doc. 2023-03415 Filed 2-16-23; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

[Docket No. FWS-R6-ES-2022-0100;
FXES1113060000-223-FF06E00000]

RIN 1018-BG79

Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population of the Gray Wolf in Colorado

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule; availability of supplemental information.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), propose to establish a nonessential experimental population (NEP) of the gray wolf (*Canis lupus*) in the State of Colorado, under section 10(j) of the Endangered Species Act of 1973, as amended (Act). The State of Colorado (Colorado Parks and Wildlife or CPW) requested that the Service establish an NEP in conjunction with their State-led gray wolf reintroduction effort. Establishment of this NEP would provide for allowable, legal, purposeful, and incidental taking of the gray wolf within a defined NEP area while concurrently providing for the conservation of the species. The geographic boundaries of the NEP would include the State of Colorado. The best available data indicate that reintroduction of the gray wolf into Colorado is biologically feasible and

will promote the conservation of the species. We are seeking comments on this proposal and on our associated draft environmental impact statement (DEIS), prepared pursuant to the National Environmental Policy Act of 1969, as amended, which describes the potential alternatives for providing a regulatory framework for the State's reintroduction.

DATES: We will accept comments on this proposed rule or the DEIS that are received or postmarked on or before April 18, 2023. Comments submitted electronically using the Federal eRulemaking Portal (see **ADDRESSES**, below) must be received by 11:59 p.m. eastern time on the closing date.

Information Collection Requirements: If you wish to comment on the information collection requirements in this proposed rule, please note that the Office of Management and Budget (OMB) is required to make a decision concerning the collection of information contained in this proposed rule between 30 and 60 days after publication of this proposed rule in the **Federal Register**. Therefore, comments should be submitted to the Service Information Collection Clearance Officer, U.S. Fish and Wildlife Service, (see "Information Collection" section below under **ADDRESSES**) by April 18, 2023.

ADDRESSES: You may submit comments by one of the following methods:

(1) *Electronically:* Go to the Federal eRulemaking Portal: <https://www.regulations.gov>. In the Search box, enter FWS-R6-ES-2022-0100, which is the docket number for this rulemaking. Then, click on the Search button. On the resulting page, in the panel on the left side of the screen, under the Document Type heading, check the Proposed Rule box to locate this document. You may submit a comment by clicking on "Comment."

(2) *By hard copy:* Submit by U.S. mail to: Public Comments Processing, Attn: FWS-R6-ES-2022-0100, U.S. Fish and Wildlife Service, MS: PRB/3W, 5275 Leesburg Pike, Falls Church, VA 22041-3803.

We request that you send comments only by the methods described above. We will post all comments on <https://www.regulations.gov>. This generally means that we will post any personal information you provide us (see Information Requested, below, for more information).

Availability of supporting materials: This proposed rule and the DEIS are available on <https://www.regulations.gov> at Docket No. FWS-R6-ES-2022-0100 and on the Service's website at <https://www.fws.gov/coloradowolf>.

We will also post information regarding public meetings at this website. Hardcopies of the documents are also available for public inspection at the address shown in **FOR FURTHER INFORMATION CONTACT**. Additional supporting information that we developed for this proposed rule will be available on the Service's website, at <https://www.regulations.gov>, or both.

Information Collection Requirements: Send your comments on the information collection request to the Service Information Collection Clearance Officer, U.S. Fish and Wildlife Service, by email to Info_Coll@fws.gov; or by mail to 5275 Leesburg Pike, MS: PRB (JAO/3W), Falls Church, VA 22041-3803. Please reference "OMB Control Number 1018-Gray Wolf" in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: Nicole Alt, Field Supervisor, U.S. Fish and Wildlife Service, Colorado Ecological Services Field Office, 134 Union Boulevard, Suite 670, Lakewood, CO 80228; telephone 303-236-4773. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION:

Information Requested

We intend that any final action resulting from this proposed rule will be based on the best scientific and commercial data available and be as accurate and as effective as possible. Therefore, we request comments or information from other governmental agencies, Native American Tribes, the scientific community, industry, or any other interested parties concerning this proposed rule.

We particularly seek comments concerning:

- (1) The proposed geographic boundary of the NEP;
- (2) Information pertaining to the conservation status of gray wolves and how it relates to the proposed reintroduction and rulemaking efforts;
- (3) The adequacy of the proposed regulations for the NEP;
- (4) Management flexibilities that could be added to the final rule to address expanding gray wolf populations; and
- (5) Whether to allow lethal management of gray wolves that are