

(389) \* \* \*  
 (i) \* \* \*  
 (B) \* \* \*

(2) Rule 242, "Stationary Internal Combustion Engines," adopted on April 10, 2003.

(3) Rule 246, "Natural Gas-Fired Water Heaters," adopted on June 19, 1997.

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 [FR Doc. 2011-28246 Filed 10-31-11; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[EPA-R09-OAR-2011-0356; FRL-9479-3]

**Revisions to the California State Implementation Plan, Joaquin Valley Unified Air Pollution Control District and Imperial County Air Pollution Control District**

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

**ACTION:** Final rule.

**SUMMARY:** EPA is finalizing approval of revisions to the San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD) and Imperial County Air Pollution Control District (ICAPCD) portions of the California State Implementation Plan (SIP). These revisions were proposed in the **Federal Register** on June 3, 2011 and concern volatile organic compound (VOC) emissions from Motor Vehicle Assembly, Metal Parts and Products, Plastic Parts and Products and Pleasure Crafts, Aerospace Operations and Automotive Refinishing Operations. We are approving local rules that regulate these emission sources under the Clean Air Act as amended in 1990 (CAA or the Act).

**DATES:** *Effective Date:* This rule is effective on December 1, 2011.

**ADDRESSES:** EPA has established docket number EPA-R09-OAR-2011-0356 for this action. Generally, documents in the docket for this action are available electronically at <http://www.regulations.gov> or in hard copy at EPA Region IX, 75 Hawthorne Street, San Francisco, California. While all documents in the docket are listed at

<http://www.regulations.gov>, some information may be publicly available only at the hard copy location (e.g., copyrighted material, large maps, multi-volume reports), and some may not be available in either location (e.g., confidential business information (CBI)). To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed in the **FOR FURTHER INFORMATION CONTACT** section.

**FOR FURTHER INFORMATION CONTACT:** Adrienne Borgia, EPA Region IX, (415) 972-3576, [borgia.adrienne@epa.gov](mailto:borgia.adrienne@epa.gov).

**SUPPLEMENTARY INFORMATION:** Throughout this document, "we," "us" and "our" refer to EPA.

**Table of Contents**

- I. Proposed Action
- II. Public Comments and EPA Responses
- III. EPA Action
- IV. Statutory and Executive Order Reviews

**I. Proposed Action**

On June 3, 2011 (FR 32113), EPA proposed to approve the following rules into the California SIP.

Local agency	Rule No.	Rule title	Adopted	Submitted
SJVUAPCD .....	4602	Motor Vehicle Assembly Coatings .....	9/17/09	5/17/10
SJVUAPCD .....	4603	Surface Coating of Metal Parts and Products, Plastic Parts and Products and Pleasure Crafts.	9/17/09	5/17/10
ICAPCD .....	425	Aerospace Coating Operations .....	2/23/10	7/20/10
ICAPCD .....	427	Automotive Refinishing Operations .....	2/23/10	7/20/10

We proposed to approve these rules because we determined that they complied with the relevant CAA requirements. Our proposed action contains more information on the rules and our evaluation.

**II. Public Comments and EPA Responses**

EPA's proposed action provided a 30-day public comment period. During this period, we received no comments.

**III. EPA Action**

No comments were submitted that change our assessment that the submitted rules comply with the relevant CAA requirements. Therefore, as authorized in section 110(k)(3) of the Act, EPA is fully approving these rules into the California SIP.

**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 Act 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 Clean Air Act. 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 Order 12866 (58 FR 51735, October 4, 1993);
- 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 Clean Air Act; and
- Does not provide EPA with the discretionary authority to address disproportionate human health or environmental effects with practical, appropriate, and legally permissible methods under Executive Order 12898 (59 FR 7629, February 16, 1994). In addition, this rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is

not approved to apply in Indian country located in the State, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

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).

**List of Subjects in 40 CFR Part 52**

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

Dated: September 28, 2011.

**Keith Takata,**

*Acting Regional Administrator, Region IX.*

Part 52, Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

**PART 52—[AMENDED]**

■ 1. The authority citation for Part 52 continues to read as follows:

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

**Subpart F—California**

■ 2. Section 52.220, is amended by adding paragraphs (c)(379)(i)(C)(3) and (4) and (c)(381)(i)(A)(3) and (4) to read as follows:

**§ 52.220 Identification of plan.**

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- (c) \* \* \*
- (379) \* \* \*
- (i) \* \* \*
- (C) \* \* \*

(3) Rule 4602, "Motor Vehicle Assembly Coatings," amended on September 17, 2009.

(4) Rule 4603, "Surface Coating of Metal Parts and Products, Plastic Parts and Products and Pleasure Crafts," amended on September 17, 2009.

\* \* \* \* \*

- (381) \* \* \*
- (i) \* \* \*

(A) \* \* \*

(3) Rule 425, "Aerospace Coating Operations," revised February 23, 2010.

(4) Rule 427, "Automotive Refinishing Operations," revised February 23, 2010.

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[FR Doc. 2011-28251 Filed 10-31-11; 8:45 am]

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**GENERAL SERVICES ADMINISTRATION**

**41 CFR Part 101-26**

**[FPMR Amendment 2011-01; FPMR Case 2011-101-1; Docket Number 2011-017; Sequence 1]**

**RIN 3090-AJ19**

**Federal Property Management Regulation (FPMR); Procurement Sources and Programs**

**AGENCY:** Office of Governmentwide Policy, General Services Administration (GSA).

**ACTION:** Final rule.

**SUMMARY:** The General Services Administration (GSA) is revising the Federal Property Management Regulation (FPMR) by removing the provisions regarding priorities for use of Government supply sources. Users may access the FPMR and any corresponding documents at GSA's Web site at <http://www.gsa.gov/fmr> and by clicking on "FPMR & Related Files" on the left-hand menu.

**DATES:** *Effective Date:* This final rule is effective November 1, 2011.

**FOR FURTHER INFORMATION CONTACT:** The Regulatory Secretariat (MVCB), 1275 First St., NE., Washington, DC 20417, (202) 501-4755, for information pertaining to status or publication schedules. For clarification of content, contact Mr. Robert Holcombe, Office of Travel, Transportation and Asset Management (MT), General Services Administration, at (202) 501-3828 or email at [robert.holcombe@gsa.gov](mailto:robert.holcombe@gsa.gov). Please cite FPMR Amendment 2011-01.

**SUPPLEMENTARY INFORMATION:**

**A. Background**

GSA is amending the FPMR (41 CFR Chapter 101) by removing the provisions regarding priorities for use of Government supply sources. The Federal Acquisition Regulation (FAR) is considered the primary regulation for use by all Federal executive agencies in their acquisition of supplies and services with appropriated funds; therefore, policies that repeat, paraphrase, or restate the FAR are unnecessary.

**B. Executive Orders 12866 and 13563**

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This rule has been designated a "significant regulatory action" although not economically significant, under section 3(f) of Executive Order 12866. Accordingly, the rule has been reviewed by the Office of Management and Budget.

**C. Regulatory Flexibility Act**

This final rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, because the revisions are not considered substantive. This final rule is also exempt from the Regulatory Flexibility Act per 5 U.S.C. 553(a)(2) because it applies to agency management or personnel. However, this final rule is being published to provide transparency in the promulgation of Federal policies.

**D. Paperwork Reduction Act**

The Paperwork Reduction Act does not apply because the final rule does not impose information collection requirements that require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

**E. Small Business Regulatory Enforcement Fairness Act**

This final rule is exempt from Congressional review under 5 U.S.C. 801 since it relates solely to agency management and personnel.

**List of Subjects in 41 CFR Part 101-26**

Procurement sources and programs.

Dated: August 4, 2011.

**Martha Johnson,**

*Administrator of General Services.*

For the reasons set forth in the preamble, GSA amends 41 CFR Chapter 101 as follows:

**CHAPTER 101—FEDERAL PROPERTY MANAGEMENT REGULATIONS**

**PART 101-26—PROCUREMENT SOURCES AND PROGRAMS**

■ 1. The authority for 41 CFR part 101-26 is amended to read as follows: