

(iii) *Disposal*. Requirements as specified in § 721.85(a)(1), (a)(2), (b)(1), (b)(2), (c)(1), (c)(2).

(iv) *Release to water*. Requirements as specified in § 721.90(a)(1), (b)(1), (c)(1).

(b) *Specific requirements*. The provisions of subpart A of this part apply to this section except as modified by this paragraph (b).

(1) *Recordkeeping*. Recordkeeping requirements as specified in § 721.125(a) through (e), (j), and (k) are applicable to manufacturers and processors of this substance.

(2) *Limitations or revocation of certain notification requirements*. The provisions of § 721.185 apply to this section.

(3) *Determining whether a specific use is subject to this section*. The provisions of § 721.1725(b)(1) apply to paragraph (a)(2)(iii) of this section.

■ 11. Add § 721.11180 to subpart E to read as follows:

**§ 721.11180 Arenesulfonic acid, alkyl derivatives, metal salts (generic).**

(a) *Chemical substance and significant new uses subject to reporting*.

(1) The chemical substance identified generically as arenesulfonic acid, alkyl derivatives, metal salts (PMN P-17-283) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Protection in the workplace*. Requirements as specified in § 721.63(a)(1), (a)(2)(i), (iii), (a)(3), (when determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1), engineering control measures (e.g. enclosure or confinement of operation, general and local ventilation) or administrative control measures (e.g. workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible), (b) (concentration set at 1.0%), and (c).

(ii) *Hazard communication*. Requirements as specified in § 721.72(a) through (e) (concentration set at 1.0%), (f), (g)(1)(skin sensitization), (eye irritation), (lung effects), (skin corrosion), (g)(2)(i), (iii), (v), and (g)(5). Alternative hazard and warning statements that meet the criteria of the Globally Harmonized System and OSHA Hazard Communication Standard may be used.

(iii) *Industrial, commercial, and consumer activities*. Requirements as specified in § 721.80(p) (6 months). It is a significant new use to manufacture, process or use the substance in any manner way that results in generation of a vapor, mist, spray, or aerosol.

(b) *Specific requirements*. The provisions of subpart A of this part apply to this section except as modified by this paragraph (b).

(1) *Recordkeeping*. Recordkeeping requirements as specified in § 721.125(a) through (i).

(2) *Limitations or revocation of certain notification requirements*. The provision of § 721.185 apply to this section.

■ 12. Add § 721.11181 to subpart E to read as follows:

**§ 721.11181 Heteromonocycle, 2-[(bicarbo monocycle-2-substituted)alkyl]- (generic).**

(a) *Chemical substance and significant new uses subject to reporting*.

(1) The chemical substance identified generically as heteromonocycle, 2-[(bicarbo monocycle-2-substituted)alkyl]- (PMN P-17-353) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section. The requirements of this section do not apply to quantities of the substance after they have been reacted (cured).

(2) The significant new uses are:

(i) *Protection in the workplace*. Requirements as specified in § 721.63(a)(1), (a)(2)(i), (ii), (iii), (iv), (a)(3), (when determining which persons are reasonably likely to be exposed as required for § 721.63(a)(1), engineering control measures (e.g. enclosure or confinement of the operation, general and local ventilation) or administrative control measures (e.g. workplace policies and procedures) shall be considered and implemented to prevent exposure, where feasible), (b) (concentration set at 0.1%), and (c).

(ii) *Hazard communication*. Requirements as specified in § 721.72(a) through (e) (concentration set at 0.1%), (f), (g)(1), (g)(1)(iv), (vi), (vii), (ix), (mutagenicity), (eye, skin, lung, and mucous membrane irritation), (skin and lung sensitization), (g)(2)(i), (ii), (iii), (v), (avoid workplace airborne concentrations), (g)(3)(i), (ii), (g)(4)(iii), and (g)(5). Alternative hazard and warning statements that meet the criteria of the Globally Harmonized System and OSHA Hazard Communication Standard may be used.

(iii) *Industrial, commercial, and consumer activities*: Requirements as specified in § 721.80(f) and (k). It is a significant new use to process or use the substance in any manner that generates a vapor, spray, mist, or aerosol.

(iv) *Release to water*. Requirements as specified in § 721.90(b)(1) and (c)(1).

(b) *Specific requirements*. The provisions of subpart A of this part

apply to this section except as modified by this paragraph (b).

(1) *Recordkeeping*. Recordkeeping requirements as specified in § 721.125(a) through (i) and (k) are applicable to manufacturers and processors of this substance.

(2) *Limitations or revocation of certain notification requirements*. The provisions of § 721.185 apply to this section.

(3) *Determining whether a specific use is subject to this section*. The provisions of § 721.1725(b)(1) apply to paragraph (a)(2)(iii) of this section.

[FR Doc. 2018-21871 Filed 10-9-18; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R05-OAR-2017-0060; FRL-9985-12-Region 5]

### Air Plan Approval; Minnesota; Infrastructure SIP Requirements for the 2012 PM<sub>2.5</sub> NAAQS; Multistate Transport

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

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is approving elements of the State Implementation Plan (SIP) submission from Minnesota regarding the infrastructure requirements of section 110 of the Clean Air Act (CAA) for the 2012 annual fine particulate matter (PM<sub>2.5</sub>) 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 the CAA. This action pertains specifically to infrastructure requirements concerning interstate transport provisions.

**DATES:** This final rule is effective on November 9, 2018.

**ADDRESSES:** EPA has established a docket for this action under Docket ID No. EPA-R05-OAR-2017-0060. All documents in the docket are listed on the [www.regulations.gov](http://www.regulations.gov) website. Although listed in the index, some information is not publicly available, *i.e.*, Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form.

Publicly available docket materials are available either through [www.regulations.gov](http://www.regulations.gov) or 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 Anthony Maietta, Environmental Protection Specialist, at (312) 353-8777 before visiting the Region 5 office.

**FOR FURTHER INFORMATION CONTACT:** Anthony Maietta, Environmental Protection Specialist, Control Strategies Section, Air Programs Branch (AR-18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353-8777, [maietta.anthony@epa.gov](mailto:maietta.anthony@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 being addressed by this document?
- II. What comments did we receive on the proposed action?
- III. What action is EPA taking?
- IV. Statutory and Executive Order Reviews

**I. What is being addressed by this document?**

On January 23, 2017, the Minnesota Pollution Control Agency (MPCA) submitted a request for EPA to approve its infrastructure SIP for the 2012 annual PM<sub>2.5</sub> NAAQS. On August 13, 2018, EPA proposed to approve the portion of the submission dealing with requirements one and two (otherwise known as “prongs” one and two) of the provision for interstate pollution transport under Clean Air Act Section 110(a)(2)(D)(i), also known as the “good neighbor” provision.<sup>1</sup>

The January 23, 2017 MPCA submittal included a demonstration that Minnesota’s SIP contains sufficient minor programs related to the interstate transport of pollution. Minnesota’s submittal also included a technical analysis of its interstate transport of pollution relative to the 2012 PM<sub>2.5</sub> NAAQS that demonstrates that current controls are adequate for Minnesota to

show that it meets prongs one and two of the “good neighbor” provision. After review, EPA proposed to approve Minnesota’s request relating to prongs one and two of the “good neighbor” provision.

**II. What comments did we receive on the proposed action?**

Our August 13, 2018 proposed rule provided a 30-day review and comment period. The comment period closed on September 12, 2018. EPA did not receive any comments on the proposed action.

**III. What action is EPA taking?**

EPA is approving the portion of Minnesota’s January 23, 2017 submission certifying that the current Minnesota 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.

**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, 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 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 (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 Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by December 10, 2018. 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

<sup>1</sup> There are four prongs to the Section 110(a)(2)(D)(i) “good neighbor” provision, which are: Prohibit any source or other type of emissions activity in one state from contributing significantly to nonattainment of the NAAQS in another state (prong one); prohibit any source or other type of emissions activity in one state from interfering with maintenance of the NAAQS in another state (prong two); prohibit 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 (prong three); and protect visibility in another state (prong four).

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, Particulate matter, Reporting and recordkeeping requirements.

Dated: September 25, 2018.  
**James 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 § 52.1220, the table in paragraph (e) is amended by revising the entry for “Section 110(a)(2) Infrastructure Requirements for the 2012 fine particulate matter (PM<sub>2.5</sub>) NAAQS” to read as follows:

**§ 52.1220 Identification of plan.**  
 \* \* \* \* \*  
 (e) \* \* \*

**EPA-APPROVED MINNESOTA NONREGULATORY PROVISIONS**

Name of nonregulatory SIP provision	Applicable geographic or nonattainment area	State submittal date/ effective date	EPA approved date	Comments
* * * * *	* * * * *	* * * * *	* * * * *	* * * * *
Section 110(a)(2) Infrastructure Requirements for the 2012 fine particulate matter (PM <sub>2.5</sub> ) NAAQS.	Statewide .....	6/12/2014, 5/26/2016 and 1/23/2017.	10/10/2018, [Insert <b>Federal Register</b> citation].	Fully approved for all CAA elements except the visibility protection requirements of (D)(i)(II).
* * * * *	* * * * *	* * * * *	* * * * *	* * * * *

\* \* \* \* \*  
 [FR Doc. 2018–21875 Filed 10–9–18; 8:45 am]  
**BILLING CODE 6560–50–P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[EPA–R03–OAR–2018–0054; FRL–9984–99–Region 3]

**Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Interstate Transport Requirements for the 2012 Fine Particulate Matter Standard**

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

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is approving a state implementation plan (SIP) revision submitted by the Commonwealth of Pennsylvania. This revision pertains to the infrastructure requirement for interstate transport of pollution with respect to the 2012 fine particulate matter (PM<sub>2.5</sub>) national ambient air quality standards (NAAQS). EPA is approving this revision in accordance with the requirements of the Clean Air Act (CAA).

**DATES:** This final rule is effective on November 9, 2018.

**ADDRESSES:** EPA has established a docket for this action under Docket ID Number EPA–R03–OAR–2018–0054. All documents in the docket are listed on

the <http://www.regulations.gov> website. Although listed in the index, some information is not publicly available, e.g., confidential business information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available through <http://www.regulations.gov>, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information.

**FOR FURTHER INFORMATION CONTACT:** Joseph Schulingkamp, (215) 814–2021, or by email at [schulingkamp.joseph@epa.gov](mailto:schulingkamp.joseph@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

On June 14, 2018 (83 FR 27732), EPA published a notice of proposed rulemaking (NPR) for the Commonwealth of Pennsylvania. In the NPR, EPA proposed approval of the Pennsylvania SIP revision addressing the interstate transport requirements for the 2012 PM<sub>2.5</sub> NAAQS in CAA section 110(a)(2)(D)(i)(I) submitted on October 11, 2017. For more information on particulate pollution, EPA’s infrastructure requirements, and interstate transport requirements, see Section I of the NPR.

**II. Summary of SIP Revision and EPA Analysis**

Pennsylvania’s October 11, 2017 SIP submittal includes a summary of statewide annual emissions of PM<sub>2.5</sub>, coarse particulate matter (PM<sub>10</sub>), and precursors of PM<sub>2.5</sub> including oxides of nitrogen (NO<sub>x</sub>), sulfur dioxide (SO<sub>2</sub>), ammonia, and volatile organic compounds (VOCs). Pennsylvania also included statewide SO<sub>2</sub> and NO<sub>x</sub> emissions specifically from the electric generating units (EGU) sector as EGUs are the largest contributor to the point source emissions. The emissions summary shows that, for the years 2011 through 2015, emissions of all pollutants presented have been steadily decreasing or remained nearly steady for sources that potentially contribute to nonattainment in, or interfere with maintenance of the 2012 PM<sub>2.5</sub> NAAQS in any other state. The submittal also included currently available air quality monitoring data for PM<sub>2.5</sub>.

Pennsylvania also discussed EPA’s March 17, 2016 memorandum (2016 PM<sub>2.5</sub> Memorandum) and the fact that EPA’s analysis showed that only one monitor in the eastern United States had projected PM<sub>2.5</sub> data above the 12.0 micrograms per cubic meter (µg/m<sup>3</sup>) NAAQS value (Allegheny County, PA).<sup>1</sup> Pennsylvania also generally discussed prevailing wind directions and several

<sup>1</sup> “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),” memorandum from Stephan D. Page, Director, EPA Office of Air Quality Planning and Standards.