In the above table, the key is as follows:

A .... Approve.
CA .... Conditionally Approve.
NA ........ No Action/Separate Rulemaking.
* ......... Federally promulgated rules in place.
** ......... Previously discussed in element (C).

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. 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 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, 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.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Intergovernmental relations, Ozone, Particulate matter, Reporting and recordkeeping requirements.

Dated: April 19, 2011.

Susan Hedman,
Regional Administrator, Region 5.
[FR Doc. 2011–10331 Filed 4–27–11; 8:45 am]
Conference Rooms C and D, 61 Forsyth Street SW, Atlanta, GA 30303–8960; telephone (800) 241–1754. For the Atlanta, GA, hearing, visitors must go through the metal detector, sign in with the security desk, be accompanied by an employee, and will need to show photo identification to enter the building.

The three public hearings will convene at 9 a.m. and continue until 8 p.m. (local time). EPA will make every effort to accommodate all speakers that arrive and register before 8 p.m. A lunch break is scheduled from 12:30 p.m. until 6:30 p.m. during the hearings. The EPA Web Site for the rulemaking, which includes the proposal and information about the public hearings, can be found at: http://www.epa.gov/airquality/powerplanttoxics/actions.html.

FOR FURTHER INFORMATION CONTACT: If you would like to present oral testimony at the public hearing, please contact Ms. Pamela Garrett, U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, Air Quality Planning Division, (D243–01), Research Triangle Park, NC 27711, telephone (919) 541–7966, fax number (919) 541–5450, e-mail address: garrett.pamela@epa.gov (preferred method for registering), no later than 2 business days prior to each public hearing. The last day to register will be close-of-business Thursday, May 19, 2011, for the Chicago, IL, and Philadelphia, PA, hearings, and Monday, May 23, 2011, for the Atlanta, GA, hearing. If using e-mail, please provide the following information: Time you wish to speak (morning, afternoon, evening), name, affiliation, address, e-mail address, and telephone and fax numbers.

Questions concerning the May 3, 2011, proposed rule should be addressed to Mr. William Maxwell, U.S. EPA, Office of Air Quality Planning and Standards, Energy Strategies Group, (D243–01), Research Triangle Park, N.C. 27711, telephone number (919) 541–5430, e-mail at maxwell.bill@epa.gov for the NESHAP and Mr. Christian Fellner, U.S. EPA, Office of Air Quality Planning and Standards, Energy Strategies Group, (D243–01), Research Triangle Park, N.C. 27711, telephone number (919) 541–4003, e-mail at fellner.christian@epa.gov for the NSPS.

Public hearing: The proposal for which EPA is holding the public hearings was published in the Federal Register on May 3, 2011 and is available at: http://www.epa.gov/airquality/powerplanttoxics/actions.html or http://www.epa.gov/tnn/atw/utility/ and also in the docket identified below. The public hearings will provide interested parties the opportunity to present oral comments regarding EPA’s proposed NESHAP standards, including data, views, or arguments concerning the proposal. The EPA may ask clarifying questions during the oral presentations, but will not respond to the presentations at that time. 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.

Commenters should notify Ms. Garrett if they will need specific equipment, or if there are other special needs related to providing comments at the hearings. EPA will provide equipment for commenters to provide oral testimony electronically (via e-mail or CD) or in hard copy form.

The hearing schedules, including lists of speakers, will be posted on EPA’s Web Sites http://www.epa.gov/airquality/powerplanttoxics/actions.html or http://www.epa.gov/tnn/atw/utility/utilityppg.html. Verbatim transcripts of the hearings and written statements will be included in the docket for the rulemaking.

EPA will make every effort to follow the schedule as closely as possible on the day of the hearings; however, please plan for the hearing to run either ahead of schedule or behind schedule.

How can I get copies of this document and other related information?


List of Subjects in 40 CFR Parts 60 and 63

Environmental protection, Administrative practice and procedure, Air pollution control, Hazardous substances, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: April 25, 2011.

Mary Henigian, Acting Director, Office of Air Quality Planning and Standards.

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 82

[http://www.epa.gov/airquality/powerplanttoxics/actions.html]

FOR FURTHER INFORMATION CONTACT: If you would like to present oral testimony at the public hearing, please contact Ms. Pamela Garrett, U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, Air Quality Planning Division, (D243–01), Research Triangle Park, NC 27711, telephone (919) 541–7966, fax number (919) 541–5450, e-mail address: garrett.pamela@epa.gov (preferred method for registering), no later than 2 business days prior to each public hearing. The last day to register will be close-of-business Thursday, May 19, 2011, for the Chicago, IL, and Philadelphia, PA, hearings, and Monday, May 23, 2011, for the Atlanta, GA, hearing. If using e-mail, please provide the following information: Time you wish to speak (morning, afternoon, evening), name, affiliation, address, e-mail address, and telephone and fax numbers.

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Dated: April 25, 2011.

Mary Henigian, Acting Director, Office of Air Quality Planning and Standards.

[http://www.epa.gov/airquality/powerplanttoxics/actions.html]