

MVEBs for 2011 and 2021 and the mobile source direct PM<sub>2.5</sub> insignificance determination for the PM<sub>2.5</sub> NAAQS in accordance with 40 CFR 93.118(f)(1). On May 2, 2011, EPA published its adequacy notice in the **Federal Register** (76 FR 24472). Within 24 months from the effective date of EPA's adequacy determination, the transportation partners will need to demonstrate conformity to the new NO<sub>x</sub> MVEBs pursuant to 40 CFR 93.104(e) and will need to document the mobile source direct PM<sub>2.5</sub> insignificance determination for the PM<sub>2.5</sub> NAAQS in future conformity determinations (76 FR 24475).

If finalized, approval of the redesignation request would change the official designation of Catawba County in the Hickory Area for the 1997 Annual PM<sub>2.5</sub> NAAQS, found at 40 CFR part 81, from nonattainment to attainment. EPA is also proposing to approve into the North Carolina SIP the maintenance plan for the Hickory Area, the emissions inventory submitted with the maintenance plan, and the 2011 and 2021 MVEBs. EPA is proposing to take these actions if and when EPA finalizes, after notice and comment rulemaking, its approval of the NCSSA rules as a revision to the North Carolina SIP.

#### **XI. Proposed Action on the Determination That the Hickory Area Has Attained the 1997 PM<sub>2.5</sub> NAAQS by Its Applicable Attainment Date**

The fourth action EPA is proposing today is to determine, based on quality-assured and certified monitoring data for the 2007–2009 monitoring period, that the Hickory Area attained the 1997 Annual PM<sub>2.5</sub> NAAQS by its applicable attainment date of April 5, 2010. This determination is being proposed in accordance with section 179(c)(1) of the CAA and EPA regulations.

#### **XII. Statutory and Executive Order Reviews**

Under the CAA, redesignation of an area to attainment and the accompanying approval of a maintenance plan under section 107(d)(3)(E) are actions that affect the status of a geographical area and do not impose any additional regulatory requirements on sources beyond those imposed by state law. A redesignation to attainment does not in and of itself create any new requirements, but rather results in the applicability of requirements contained in the CAA for areas that have been redesignated to attainment. Moreover, 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 CAA. Accordingly, these proposed actions merely approve state law as meeting Federal requirements and do not impose additional requirements beyond those imposed by state law. For this reason, these proposed actions:

- Are not "significant regulatory action[s]" subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Do not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Are 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.*);
- Do 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);
- Do not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Are not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Are not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Are 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
- Do 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 proposed 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**

##### **40 CFR Part 52**

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

##### **40 CFR Part 81**

Environmental protection, Air pollution control.

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

Dated: September 9, 2011.

A. Stanley Meiburg,

Acting Regional Administrator, Region 4.

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## **DEPARTMENT OF HOMELAND SECURITY**

### **Coast Guard**

#### **46 CFR Part 28**

**[Docket No. USCG–2011–0887]**

**RIN 1625–AB61**

#### **Waiver of Citizenship Requirements for Crewmembers on Commercial Fishing Vessels; Correction**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of proposed rulemaking; correction.

**SUMMARY:** This document corrects the Regulatory Identification Number (RIN) to a proposed rule published in the **Federal Register** on August 18, 2011, entitled "Waiver of Citizenship Requirements for Crewmembers on Commercial Fishing Vessels." This correction provides correct information with regard to the RIN.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this proposed rule, call or e-mail Mr. David Belliveau, Office of Vessel Activities (CG–5433), Coast Guard; telephone 202–372–1247, e-mail [David.J.Belliveau@uscg.mil](mailto:David.J.Belliveau@uscg.mil).

#### **Correction**

In the **Federal Register** of August 18, 2011, in FR Vol. 76, No. 160, on page 51317, in the first column, correct the RIN to read: RIN 1625–AB61.

Dated: September 14, 2011.

**Kathryn G. Sinniger,**  
Chief, Office of Regulations and Administrative Law.

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