has determined that this action will not have any adverse impacts, economic or otherwise. The statutory and Executive Order review requirements applicable to the direct final rules were discussed in the August 17, 2018 **Federal Register** (83 FR 40986). Those review requirements do not apply to this action because it is a withdrawal and does not contain any new or amended requirements.

V. Congressional Review Act (CRA)

Pursuant to the Congressional Review Act (5 U.S.C. 801 *et seq.*), EPA will submit a report containing this rule 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**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2). Section 808 of the CRA allows the issuing agency to make a rule effective sooner than otherwise provided by CRA if the agency makes a good cause finding that notice and public procedure is impracticable, unnecessary, or contrary to the public interest. As required by 5 U.S.C. 808(2), this determination is supported by a brief statement in Unit III.

List of Subjects

40 CFR Part 9

Environmental protection, Reporting and recordkeeping requirements.

40 CFR Part 721

Environmental protection, Chemicals, Hazardous substances, Reporting and recordkeeping requirements.

Dated: October 2, 2018.

Lance Wormell,

Acting Director, Chemical Control Division, Office of Pollution Prevention and Toxics.

■ Accordingly, the amendments to 40 CFR parts 9 and 721 published on August 17, 2018 (83 FR 40986), are withdrawn effective October 11, 2018.

[FR Doc. 2018–22194 Filed 10–10–18; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R05–OAR–2017–0165; FRL–9985–13–Region 5]

Air Plan Approval; Ohio; Approval of Sulfur Dioxide Regulations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving Ohio's revisions to its State Implementation Plan (SIP) for sulfur dioxide (SO_2) under the Clean Air Act (CAA). These revisions update facility information statewide and add new emission limits for selected sources in Lake and Jefferson Counties. EPA proposed to approve Ohio's SIP revision request on August 16, 2018. The revised regulations do not impose additional emission restrictions except for certain site-specific provisions which have been included in response to Ohio's nonattainment area designations of August 5, 2013. EPA received no adverse comments and is finalizing the approval.

DATES: This final rule is effective on November 13, 2018.

ADDRESSES: EPA has established a docket for this action under Docket ID No. EPA–R05–OAR–2017–0165. All documents in the docket are listed on the *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* 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 Mary Portanova, Environmental Engineer, at (312) 353–5954 before visiting the Region 5 office.

FOR FURTHER INFORMATION CONTACT: Mary Portanova, Environmental Engineer, Control Strategies Section, Air Programs Branch (AR–18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353–5954, *portanova.mary@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. Background

II. Public Comment and EPA Response
III. What Action is EPA Taking?
IV. Incorporation by Reference
V. Statutory and Executive Order Reviews

I. Background

On March 13, 2017, Ohio submitted revisions to the Ohio Administrative Code Chapter 3745–18 (OAC 3745–18), effective on February 16, 2017, for incorporation by EPA into the Ohio SO_2 SIP. OAC 3745–18 contains Ohio's air emission regulations for SO_2, which include both generally applicable requirements and specific SO_2 emission limits for each Ohio county. The revisions update facility information statewide, remove obsolete emission limits, and add new emission limits for selected sources in Lake and Jefferson Counties. On August 16, 2018 (83 FR 40723), EPA proposed to approve the submitted revisions. EPA is taking no action on certain parts of OAC 3745–18–04. EPA received no adverse public comments on this proposal; see the discussion in section II below.

Ohio's March 13, 2017 submittal included rules which Ohio had developed to address CAA requirements for its 1-hour SO_2 nonattainment areas. EPA proposed to approve the revised rules applicable to Ohio's nonattainment areas because these revisions update and strengthen the state's SO_2 SIP. See section II C of the August 16, 2018 (83 FR 40723) notice of proposed rulemaking. The approval of these rules is not intended to address whether Ohio has fully satisfied EPA's nonattainment planning requirements for the nonattainment areas. EPA proposed to approve Ohio's nonattainment plan for the Lake County nonattainment area on August 21, 2018 (83 FR 42235), and intends to address nonattainment planning requirements for the remaining nonattainment areas in subsequent actions.

II. Public Comment and EPA Response

The comment period on EPA's August 16, 2018 (83 FR 40723) notice of proposed rulemaking closed on September 17, 2018. EPA received one public comment, which generally supported EPA's proposed action. This comment and EPA's response are described below.

Comment: The commenter stated that fewer emissions are better emissions, and advocated the use of silicon for harnessing energy in solar cells.

EPA Response: The revised rules do represent a reduction in total SO_2 emissions in Ohio. The remainder of this comment is beyond the scope of EPA's action on Ohio's submittal.

III. What action is EPA taking?

EPA is approving Ohio's March 13, 2017 submittal of OAC 3745–18–01; OAC 3745–18–03; and OAC 3745–18–04

[except OAC 3745–18–04(D)(2), (D)(3), (D)(5), (D)(6), and (D)(9)(c), and OAC 3745–18–04 (E)(2), (E)(3) and (E)(4)]. EPA is also approving OAC 3745–18–05 and OAC 3745–18–07 through OAC 3745–18–94. Ohio's adoption of these rules was effective on February 16, 2017. EPA is taking no action on OAC 3745–18–04(D)(2), (D)(3), (D)(5), (D)(6), and (D)(9)(c), and OAC 3745–18–04 (E)(2), (E)(3) and (E)(4). EPA is also removing OAC 3745–18–02 from the Ohio SO_2 SIP, pursuant to Ohio's request of September 10, 2009 [1]. In the codification of this rule, besides specifying the approved rules in 40 CFR 52.1870, EPA is also removing text in 40 CFR 52.1881 that provided a duplicated and outdated listing of approved and disapproved Ohio rules.

IV. Incorporation by Reference

In this rule, EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, EPA is finalizing the incorporation by reference of the Ohio regulations described in the amendments to 40 CFR part 52 set forth below. EPA has made, and will continue to make, these documents generally available through *www.regulations.gov* and at the EPA Region 5 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information). Therefore, these materials have been approved by EPA for inclusion in the State implementation plan, have been incorporated by reference by EPA into that plan, are fully federally enforceable under sections 110 and 113 of the CAA as of the effective date of the final rulemaking of EPA's approval, and will be incorporated by reference in the next update to the SIP compilation.[2]

V. 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 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 CAA, 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 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, Reporting and recordkeeping requirements, Sulfur oxides.

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 § 52.1870, the table in paragraph (c) is amended by revising all the entries for ''Chapter 3745–18 Sulfur Dioxide Regulations'' to read as follows:

§ 52.1870 Identification of plan.

* * * * *

(c) * * *

[1] *Correction:* The August 16, 2018 (83 FR 40723) notice of proposed rulemaking erroneously gave Ohio's 2009 SIP revision submittal date as September 17, 2009. Ohio's submittal requesting the removal of 3745–18–02 was dated September 10, 2009.

[2] 62 FR 27968 (May 22, 1997).

EPA-APPROVED OHIO REGULATIONS

Ohio citation	Title/subject	Ohio effective date	EPA approval date	Notes
*	*	*	*	*
Chapter 3745–18 Sulfur Dioxide Regulations				
3745–18–01	Definitions and Incorporation by Reference.	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–03	Compliance Time Schedules	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–04	Measurement Methods and Procedures.	3/21/2000	1/31/2002, 67 FR 4669	Only (D)(9)(c).
3745–18–04	Measurement Methods and Procedures.	2/16/2017	10/11/2018, [insert **Federal Register** citation].	Except (D)(2), (D)(3), (D)(5), (D)(6), (D)(9)(c), (E)(2), (E)(3), and (E)(4).
3745–18–05	Ambient and Meteorological Monitoring Requirements.	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–06	General Emission Limit Provisions	2/17/2011	11/19/2013, 78 FR 69299.	
3745–18–07	Adams County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–08	Allen County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–09	Ashland County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–10	Ashtabula County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–11	Athens County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–12	Auglaize County Emission Limits ...	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–13	Belmont County Emission Limits ...	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–14	Brown County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–15	Butler County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–16	Carroll County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–17	Champaign County Emission Limits.	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–18	Clark County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–19	Clermont County Emission Limits ..	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–20	Clinton County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–21	Columbiana County Emission Limits.	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–22	Coshocton County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–23	Crawford County Emission Limits ..	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–24	Cuyahoga County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–25	Darke County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–26	Defiance County Emission Limits ..	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–27	Delaware County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–28	Erie County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–29	Fairfield County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–30	Fayette County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–31	Franklin County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–32	Fulton County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	

EPA-APPROVED OHIO REGULATIONS—Continued

Ohio citation	Title/subject	Ohio effective date	EPA approval date	Notes
3745–18–33	Gallia County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–34	Geauga County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–35	Greene County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–36	Guernsey County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–37	Hamilton County Emission Limits ..	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–38	Hancock County Emission Limits ...	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–39	Hardin County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–40	Harrison County Emission Limits ...	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–41	Henry County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–42	Highland County Emission Limits ..	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–43	Hocking County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–44	Holmes County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–45	Huron County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–46	Jackson County Emission Limits ...	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–47	Jefferson County Emission Limits ..	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–48	Knox County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–49	Lake County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–50	Lawrence County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–51	Licking County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–52	Logan County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–53	Lorain County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–54	Lucas County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–55	Madison County Emission Limits ...	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–56	Mahoning County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–57	Marion County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–58	Medina County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–59	Meigs County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–60	Mercer County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–61	Miami County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–62	Monroe County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–63	Montgomery County Emission Limits.	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–64	Morgan County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–65	Morrow County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–66	Muskingum County Emission Limits.	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–67	Noble County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	

EPA-APPROVED OHIO REGULATIONS—Continued

Ohio citation	Title/subject	Ohio effective date	EPA approval date	Notes
3745–18–68	Ottawa County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–69	Paulding County Emission Limits ...	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–70	Perry County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–71	Pickaway County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–72	Pike County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–73	Portage County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–74	Preble County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–75	Putnam County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–76	Richland County Emission Limits ...	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–77	Ross County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–78	Sandusky County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–79	Scioto County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–80	Seneca County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–81	Shelby County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–82	Stark County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–83	Summit County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–84	Trumbull County Emission Limits ...	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–85	Tuscarawas County Emission Limits.	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–86	Union County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–87	Van Wert County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–88	Vinton County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–89	Warren County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–90	Washington County Emission Limits.	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–91	Wayne County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–92	Williams County Emission Limits ...	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–93	Wood County Emission Limits	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
3745–18–94	Wyandot County Emission Limits ..	2/16/2017	10/11/2018, [insert **Federal Register** citation].	
*	*	*	*	* * *

* * * * *

■ 3. Section 52.1881 is amended by:

■ a. Revising paragraph (a) introductory text; and

■ b. Removing and reserving paragraphs (a)(1) through (6).

The revision reads as follows:

§ 52.1881 Control strategy: Sulfur oxides (sulfur dioxide).

(a) EPA is approving, disapproving or taking no action on various portions of the Ohio sulfur dioxide control plan as noticed below. The disapproved portions of the Ohio plan do not meet the requirements of § 51.13 of this chapter in that they do not provide for attainment and maintenance of the national standards for sulfur oxides (sulfur dioxide).

* * * * *

[FR Doc. 2018–22012 Filed 10–10–18; 8:45 am]

BILLING CODE 6560–50–P