

emissions in “Extreme” ozone nonattainment areas. New or modified stationary sources proposed at the Pechanga Reservation would remain subject to major source nonattainment NNSR, however, by virtue of the reservation’s classification as a “Moderate” ozone nonattainment area for the 2008 ozone standard. The NNSR major source threshold in “Moderate” ozone nonattainment areas is 100 tpy.

In addition, if finalized as proposed, the EPA would withdraw our proposal to reclassify the Pechanga Reservation as “Extreme” for the 1997 8-hour ozone NAAQS at 74 FR 43654 (August 27, 2009). In so doing, we would resolve the action that we deferred in 2010 [75 FR 24409 (May 5, 2010)] when we reclassified the rest of the South Coast, as then defined and with the exception of two reservations, as “Extreme” for that standard.

In concluding that it is appropriate to propose approval of the tribe’s requests for boundary changes and designation to attainment for the 1997 ozone NAAQS, the EPA relies heavily on the obvious fact that this is a request from a federally recognized tribal government. The tribe has been determined previously to qualify for TAS, and the lands under consideration here are subject to EPA’s Tribal Designations Policy. EPA finds that the tribe has met all applicable requirements of that policy.

EPA also relies on the facts that there are valid monitoring data showing that current air quality at the Pechanga Reservation meets the 1997 ozone standard and that the emissions from tribal lands here are extremely small and do not contribute in any meaningful way to any nearby ozone nonattainment area. Finally, the EPA notes that this action to establish a separate air quality planning area, if finalized, would simplify implementation of the ozone standards by eliminating the presence of two different planning areas for the same criteria pollutant, ozone. This separate treatment of the Pechanga Reservation is consistent with EPA’s prior actions to reclassify the South Coast ozone nonattainment area in 2010, and to establish a separate ozone nonattainment area for the 2008 ozone standard in 2012. In summary, the proposed changes in the boundaries and the status of this area are supported by several unique factors described in this notice that are unlikely to be present in other nonattainment areas.

The EPA is soliciting public comments on the issues discussed in this document and will accept comments for the next 30 days. These

comments will be considered before taking final action.

## VI. Statutory and Executive Order Reviews

Under the CAA, redesignation of an Indian reservation air quality planning 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 the TIP. 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, under circumstances where a tribe is determined as eligible for TAS for the purposes of section 110 with respect to a given TIP, the Administrator is required to approve a TIP 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 TIP submissions, the EPA’s role is to approve tribal choices, provided that they meet the criteria of the Clean Air Act. Accordingly, these actions merely propose to approve a tribal plan and redesignation request as meeting Federal requirements and do not impose additional requirements beyond those imposed by tribal law. For these reasons, these proposed actions:

- Are 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);
- 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 the 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, given the nature of these proposed actions, we presume that the proposed actions would have “tribal implications” as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), with respect to the Pechanga Tribe. However, the proposed actions would not impose substantial direct compliance costs or preempt tribal law. Moreover, these proposed actions respond directly to specific requests submitted by the affected tribe and follow from extensive coordination and consultation between representatives of the Pechanga Tribe and the EPA about these and other related matters.

## List of Subjects

### 40 CFR Part 49

Environmental protection, Air pollution control, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

### 40 CFR Part 81

Environmental protection, Air pollution control, Intergovernmental relations, National parks, Ozone, Wilderness areas.

Dated: December 23, 2014.

**Alexis Strauss,**

*Acting Regional Administrator, EPA Region 9.*

[FR Doc. 2014–30830 Filed 1–5–15; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA–R09–OAR–2014–0708; FRL–9921–34–Region 9]

**Clean Data Determination for 1997 PM<sub>2.5</sub> Standards; California—South Coast; Applicability of Clean Air Act Requirements; Extension of Comment Period**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Proposed rule; extension of comment period.

**SUMMARY:** The Environmental Protection Agency (EPA) is extending the existing public comment period for a proposal published in the **Federal Register** on December 9, 2014. In that action, pursuant to the Clean Air Act, EPA proposed to determine that the Los Angeles-South Coast Air Basin (South Coast) air quality planning area in California has attained the 1997 annual and 24-hour fine particle (PM<sub>2.5</sub>) National Ambient Air Quality Standards. This proposed determination is based upon complete (or otherwise validated), quality-assured, and certified ambient air monitoring data showing that the area has monitored attainment of the 1997 annual and 24-hour PM<sub>2.5</sub> standards based on the 2011–2013 monitoring period. If the EPA finalizes this determination of attainment, the requirements for the area to submit certain State implementation plan revisions shall be suspended for so long as the area continues to attain the 1997 annual and 24-hour PM<sub>2.5</sub> standards. One commenter requested an extension of the comment period for this proposed rulemaking. EPA is now extending the public comment period for fourteen days.

**DATES:** The comment period for the proposed rule published on December 9, 2014 (79 FR 72999) is extended. Comments must be received on or before January 22, 2015.

**ADDRESSES:** Submit comments, identified by docket number EPA–R09–OAR–2014–0708, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

- *Email:* [tax.wienke@epa.gov](mailto:tax.wienke@epa.gov).

- *Mail or deliver:* Wienke Tax, Air Planning Office, U.S. Environmental Protection Agency, Region 9, Mailcode AIR–2, 75 Hawthorne Street, San Francisco, California 94105–3901.

**Instructions:** All comments will be included in the public docket without change and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that you consider CBI or otherwise protected should be clearly identified as such and should not be submitted through <http://www.regulations.gov> or email. The <http://www.regulations.gov> Web site is an “anonymous access” system, and

EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA, your email address will be automatically captured and included as part of the public comment. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

**Docket:** The index to the docket for this action is available electronically on the <http://www.regulations.gov> Web site and in hard copy at EPA Region IX, 75 Hawthorne Street, San Francisco, California 94105. While all documents in the docket are listed in the index, some information may be publicly available only at the hard copy location (e.g., copyrighted material), and some may not be publicly available at either location (e.g., 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 below.

**FOR FURTHER INFORMATION CONTACT:**

Wienke Tax, Air Planning Office, U.S. Environmental Protection Agency, Region 9, Mail Code AIR–2, 75 Hawthorne Street, San Francisco, California 94105–3901, 415–947–4192, [tax.wienke@epa.gov](mailto:tax.wienke@epa.gov).

**SUPPLEMENTARY INFORMATION:** EPA published a proposed rule in the **Federal Register** on December 9, 2014 (79 FR 72999). EPA is extending the existing public comment period for that proposal. In that action, pursuant to the Clean Air Act, EPA proposed to determine that the Los Angeles-South Coast Air Basin (South Coast) air quality planning area in California has attained the 1997 annual and 24-hour fine particle (PM<sub>2.5</sub>) National Ambient Air Quality Standards. This proposed determination is based upon complete (or otherwise validated), quality-assured, and certified ambient air monitoring data showing that the area has monitored attainment of the 1997 annual and 24-hour PM<sub>2.5</sub> standards based on the 2011–2013 monitoring period. If the EPA finalizes this determination of attainment, the requirements for the area to submit certain State implementation plan revisions shall be suspended for so long as the area continues to attain the 1997 annual and 24-hour PM<sub>2.5</sub> standards. One commenter requested an extension of the comment period for this proposed rulemaking. EPA is now extending the public comment period for fourteen days for the December 9, 2014, proposed clean data determination for the 1997

PM<sub>2.5</sub> standards for the South Coast area, California.

Dated: December 18, 2014.

**Jared Blumenfeld,**

*Regional Administrator, EPA Region 9.*

[FR Doc. 2014–30951 Filed 1–5–15; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 51

[PS Docket No. 14–174, GN Docket No. 13–5, RM–11358, WC Docket No. 05–25, RM–10593; FCC 14–185]

### Ensuring Customer Premises Equipment Backup Power; Technology Transitions; Copper Retirement; and Discontinuance of Service

**AGENCY:** Federal Communications Commission

**ACTION:** Proposed rule.

**SUMMARY:** In this document, the Federal Communications Commission (Commission) initiates a rulemaking seeking public comment on: Ensuring reliable back-up power for consumers of IP-based voice and data services across networks that provide residential fixed service that substitutes for and improves upon the kind of traditional telephony used by people to dial 911; protecting consumers by ensuring they are informed about their choices and the services provided to them when carriers retire legacy facilities (e.g., copper networks) and seek to discontinue legacy services (e.g., basic voice services); and protecting competition where it exists today, so that the mere change of a network facility or discontinuance of a legacy service does not deprive small- and medium-sized businesses, schools, libraries, and other enterprises of the ability to choose the kinds of innovative services that best suit their needs. The proposed rules and the comment process that follows will help the Commission ensure that the fundamental values of competition, consumer protection, public safety, and national security are not lost merely because technology changes.

**DATES:** Submit comments on or before February 5, 2015. Submit reply comments on or before March 9, 2015.

**ADDRESSES:** You may submit comments, identified by PS Docket No. 14–174, GN Docket No. 13–5, RM–11358, WC Docket No. 05–25, RM–10593, by any of the following methods:

- Federal Communications Commission’s Web site: <http://www.fcc.gov>