

Dated: February 8, 2012.

**G.J. Depinet,**

*Captain, U.S. Coast Guard, Captain of the Port Miami.*

[FR Doc. 2012-4452 Filed 2-24-12; 8:45 am]

BILLING CODE 9110-04-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 63

[EPA-R09-OAR-2012-0117; FRL-9635-7]

### Delegation of National Emission Standards for Hazardous Air Pollutants for Source Categories; Nevada

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

**ACTION:** Direct final rule.

**SUMMARY:** EPA is amending certain regulations to reflect the current delegation status of national emission standards for hazardous air pollutants (NESHAP) in Nevada. Several NESHAP were delegated to the Nevada Division of Environmental Protection on October 6, 2011. The purpose of this action is to update the listing in the Code of Federal Regulations.

**DATES:** This rule is effective on April 27, 2012 without further notice, unless EPA receives adverse comments by March 28, 2012. If we receive such comments, we will publish a timely withdrawal in the **Federal Register** to notify the public that this direct final rule will not take effect.

**ADDRESSES:** Submit comments, identified by docket number EPA-R09-OAR-2012-0117, by one of the following methods:

1. *Federal eRulemaking Portal:* [www.regulations.gov](http://www.regulations.gov). Follow the on-line instructions.

2. *Email:* [steckel.andrew@epa.gov](mailto:steckel.andrew@epa.gov).

3. *Mail or delivery:* Andrew Steckel (AIR-4), U.S. Environmental Protection Agency Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901.

*Instructions:* All comments will be included in the public docket without change and may be made available online at [www.regulations.gov](http://www.regulations.gov), including any personal information provided, unless the comment includes 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 [www.regulations.gov](http://www.regulations.gov) or email. [www.regulations.gov](http://www.regulations.gov) 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 email 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. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

*Docket:* The index to the docket for this action is available electronically at [www.regulations.gov](http://www.regulations.gov) and in hard copy at EPA Region IX, 75 Hawthorne Street, San Francisco, California. 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 in 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.

**FOR FURTHER INFORMATION CONTACT:** Rynda Kay, EPA Region IX, (415) 947-4118, [kay.rynda@epa.gov](mailto:kay.rynda@epa.gov).

**SUPPLEMENTARY INFORMATION:** Throughout this document, “we,” “us” and “our” refer to EPA.

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### I. Background

#### A. Delegation of NESHAP

Section 112(l) of the Clean Air Act, as amended in 1990 (CAA), authorizes EPA to delegate to State or local air pollution control agencies the authority to implement and enforce the standards set out in the Code of Federal Regulations, Title 40 (40 CFR), part 63, National Emission Standards for Hazardous Air Pollutants for Source Categories. On November 26, 1993, EPA promulgated regulations, codified at 40 CFR part 63, Subpart E (hereinafter referred to as “Subpart E”), establishing procedures for EPA’s approval of State rules or programs under section 112(l) (see 58 FR 62262). Subpart E was later amended on September 14, 2000 (see 65 FR 55810).

Any request for approval under CAA section 112(l) must meet the approval criteria in 112(l)(5) and Subpart E. To streamline the approval process for future applications, a State or local agency may submit a one-time

demonstration that it has adequate authorities and resources to implement and enforce any CAA section 112 standards. If such demonstration is approved, then the State or local agency would no longer need to resubmit a demonstration of these same authorities and resources for every subsequent request for delegation of CAA section 112 standards. However, EPA maintains the authority to withdraw its approval if the State does not adequately implement or enforce an approved rule or program.

#### B. NDEP Delegations

On May 27, 1998, EPA published a direct final action delegating to the NDEP several NESHAP and approving NDEP’s delegation mechanism for future standards (see 63 FR 28906). That action explained the procedure for EPA to grant future delegations to NDEP by letter, with periodic **Federal Register** listings of standards that have been delegated. On August 19, 2011, NDEP requested delegation of the following NESHAP contained in 40 CFR part 63:

- The amendments to Subpart LLL—NESHAP from the Portland Cement Manufacturing Industry, as set forth in 75 FR 54970 (September 9, 2010).
- The amendments to Subpart ZZZZ—NESHAP for Stationary Reciprocating Internal Combustion Engines, as set forth in 75 FR 51570 (August 20, 2010) and 76 FR 12863 (March 9, 2011).
- Subpart DDDDD—NESHAP for Industrial, Commercial, and Institutional Boilers and Process Heaters.
- Subpart BBBBBB—NESHAP for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities.
- Subpart CCCCCC—NESHAP for Source Category: Gasoline Dispensing Facilities.
- Subpart HHHHHH—NESHAP: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources.
- Subpart JJJJJJ—NESHAP for Industrial, Commercial, and Institutional Boilers Area Sources.
- Subpart VVVVVV—NESHAP for Chemical Manufacturing Area Sources.
- Subpart WWWWWW—NESHAP: Area Source Standards for Plating and Polishing Operations.
- Subpart XXXXXX—NESHAP Area Source Standards for Nine Metal Fabrication and Finishing Source Categories.
- Subpart ZZZZZZ—NESHAP: Area Source Standards for Aluminum, Copper, and Other Nonferrous Foundries.

- Subpart AAAAAAA—NESHAP for Area Sources: Asphalt Processing and Asphalt Roofing Manufacturing.

- Subpart BBBBBBB—NESHAP for Area Sources: Chemical Preparations Industry.

- Subpart CCCCCC—NESHAP for Area Sources: Paints and Allied Products Manufacturing.

- Subpart EEEEEEE—NESHAP: Gold Mine Ore Processing and Production Area Source Category.

On October 6, 2011, EPA granted delegation to NDEP for these NESHAP, along with any amendments made to previously-delegated NESHAP as of July 1, 2010. Today's action is serving to notify the public of the October 6, 2011, delegation and to codify these delegations into the Code of Federal Regulations.

## II. EPA Action

Today's document serves to notify the public of the delegation of NESHAP to NDEP on October 6, 2011. Today's action will codify these delegations into the CFR.

## III. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve delegation requests that comply with the provisions of the CAA and applicable Federal regulations. 42 U.S.C. 7412(l); 40 CFR 63.91(b). Thus, in reviewing delegation 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 Order 12866 (58 FR 51735, October 4, 1993);
- 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 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, this rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the delegations are 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.

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 April 27, 2012. 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. Parties with objections to this direct final rule are encouraged to file a comment in response to the parallel notice of proposed rulemaking for this action published in the Proposed Rules section of today's **Federal Register**, rather than file an immediate petition for judicial review of this direct final rule, so that EPA can withdraw this direct final rule and address the comment in the proposed rulemaking. This action may not be challenged later in proceedings to enforce its requirements (see section 307(b)(2)).

**Authority:** This action is issued under the authority of Section 112 of the Clean Air Act, as amended, 42 U.S.C. Section 7412.

### List of Subjects in 40 CFR Part 63

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

Dated: February 13, 2012.

**Deborah Jordan,**

*Director, Air Division, Region IX.*

Title 40, chapter I, part 63 of the Code of Federal Regulations is amended as follows:

### PART 63—[AMENDED]

- 1. The authority citation for Part 63 continues to read as follows:

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

### Subpart E—Approval of State Programs and Delegation of Federal Authorities

- 2. Section 63.99 is amended by revising the table in paragraph (a)(29)(i) to read as follows:

#### § 63.99 Delegated Federal authorities.

- (a) \* \* \*
- (29) \* \* \*
- (i) \* \* \*

### DELEGATION STATUS FOR PART 63 STANDARDS—NEVADA

Subpart	Description	NDEP <sup>1</sup>	Washoe <sup>2</sup>	Clark <sup>3</sup>
A .....	General Provisions .....	X	X	X
F .....	Synthetic Organic Chemical Manufacturing Industry .....	X	.....	X

## DELEGATION STATUS FOR PART 63 STANDARDS—NEVADA—Continued

Subpart	Description	NDEP <sup>1</sup>	Washoe <sup>2</sup>	Clark <sup>3</sup>
G .....	Synthetic Organic Chemical Manufacturing Industry: Process Vents, Storage Vessels, Transfer Operations, and Wastewater.	X	.....	X
H .....	Organic Hazardous Air Pollutants: Equipment Leaks .....	X	.....	X
I .....	Organic Hazardous Air Pollutants: Certain Processes Subject to the Negotiated Regulation for Equipment Leaks.	X	.....	X
J .....	Polyvinyl Chloride and Copolymers Production .....	X	.....	X
L .....	Coke Oven Batteries .....	X	.....	X
M .....	Perchloroethylene Dry Cleaning .....	X	X	X
N .....	Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks.	X	X	X
O .....	Ethylene Oxide Sterilization Facilities .....	X	X	X
Q .....	Industrial Process Cooling Towers .....	X	.....	X
R .....	Gasoline Distribution Facilities .....	X	X	X
S .....	Pulp and Paper .....	X	.....	X
T .....	Halogenated Solvent Cleaning .....	X	X	X
U .....	Group I Polymers and Resins .....	X	.....	X
W .....	Epoxy Resins Production and Non-Nylon Polyamides Production .....	X	.....	X
X .....	Secondary Lead Smelting .....	X	.....	X
Y .....	Marine Tank Vessel Loading Operations .....	X	.....	.....
AA .....	Phosphoric Acid Manufacturing Plants .....	X	.....	X
BB .....	Phosphate Fertilizers Production Plants .....	X	.....	X
CC .....	Petroleum Refineries .....	X	.....	X
DD .....	Off-Site Waste and Recovery Operations .....	X	.....	X
EE .....	Magnetic Tape Manufacturing Operations .....	X	.....	X
GG .....	Aerospace Manufacturing and Rework Facilities .....	X	.....	X
HH .....	Oil and Natural Gas Production Facilities .....	X	.....	X
II .....	Shipbuilding and Ship Repair (Surface Coating) .....	X	.....	X
JJ .....	Wood Furniture Manufacturing Operations .....	X	.....	X
KK .....	Printing and Publishing Industry .....	X	X	X
LL .....	Primary Aluminum Reduction Plants .....	X	.....	X
MM .....	Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills.	X	.....	X
OO .....	Tanks—Level 1 .....	X	.....	X
PP .....	Containers .....	X	.....	X
QQ .....	Surface Impoundments .....	X	.....	X
RR .....	Individual Drain Systems .....	X	.....	X
SS .....	Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process.	X	.....	X
TT .....	Equipment Leaks—Control Level 1 .....	X	.....	X
UU .....	Equipment Leaks—Control Level 2 .....	X	.....	X
VV .....	Oil-Water Separators and Organic-Water Separators .....	X	.....	X
WW .....	Storage Vessels (Tanks)—Control Level 2 .....	X	.....	X
XX .....	Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations.	X	.....	X
YY .....	Generic MACT Standards .....	X	.....	X
CCC .....	Steel Pickling .....	X	.....	X
DDD .....	Mineral Wool Production .....	X	.....	X
EEE .....	Hazardous Waste Combustors .....	X	.....	X
GGG .....	Pharmaceuticals Production .....	X	.....	X
HHH .....	Natural Gas Transmission and Storage Facilities .....	X	.....	X
III .....	Flexible Polyurethane Foam Production .....	X	.....	X
JJJ .....	Group IV Polymers and Resins .....	X	.....	X
LLL .....	Portland Cement Manufacturing Industry .....	X	.....	X
MMM .....	Pesticide Active Ingredient Production .....	X	.....	X
NNN .....	Wool Fiberglass Manufacturing .....	X	.....	X
OOO .....	Manufacture of Amino/Phenolic Resins .....	X	.....	X
PPP .....	Polyether Polyols Production .....	X	.....	X
QQQ .....	Primary Copper Smelting .....	X	.....	X
RRR .....	Secondary Aluminum Production .....	X	.....	X
TTT .....	Primary Lead Smelting .....	X	.....	X
UUU .....	Petroleum Refineries: Catalytic Cracking, Catalytic Reforming, and Sulfur Recovery Units.	X	.....	X
VVV .....	Publicly Owned Treatment Works .....	X	X	X
XXX .....	Ferroalloys Production .....	X	.....	X
AAAA .....	Municipal Solid Waste Landfills .....	X	.....	X
CCCC .....	Manufacturing of Nutritional Yeast .....	X	.....	X
DDDD .....	Plywood and Composite Wood Products .....	X	.....	X
EEEE .....	Organic Liquids Distribution (non-gasoline) .....	X	X	X
FFFF .....	Miscellaneous Organic Chemical Manufacturing .....	X	.....	X
GGGG .....	Solvent Extraction for Vegetable Oil Production .....	X	.....	X
HHHH .....	Wet-Formed Fiberglass Mat Production .....	X	.....	X
IIII .....	Surface Coating of Automobiles and Light-Duty Trucks .....	X	.....	X

## DELEGATION STATUS FOR PART 63 STANDARDS—NEVADA—Continued

Subpart	Description	NDEP <sup>1</sup>	Washoe <sup>2</sup>	Clark <sup>3</sup>
JJJJ	Paper and Other Web Coating	X		X
KKKK	Surface Coating of Metal Cans	X		X
MMMM	Miscellaneous Metal Parts and Products	X		X
NNNN	Large Appliances	X		X
OOOO	Printing, Coating, and Dyeing of Fabrics and Other Textiles	X		X
PPPP	Surface Coating of Plastic Parts and Products	X		X
QQQQ	Wood Building Products	X		X
RRRR	Surface Coating of Metal Furniture	X		X
SSSS	Surface Coating of Metal Coil	X		X
TTTT	Leather Finishing Operations	X		X
UUUU	Cellulose Products Manufacturing	X		X
VVVV	Boat Manufacturing	X		X
WWWW	Reinforced Plastics Composites Production	X	X	X
XXXX	Tire Manufacturing	X		X
YYYY	Stationary Combustion Turbines	X		X
ZZZZ	Stationary Reciprocating Internal Combustion Engines	X	X	X
AAAAA	Lime Manufacturing Plants	X		X
BBBBB	Semiconductor Manufacturing	X		X
CCCCC	Coke Oven: Pushing, Quenching and Battery Stacks	X		X
DDDDD	Industrial, Commercial, and Institutional Boiler and Process Heaters	X		X
EEEEE	Iron and Steel Foundries	X		X
FFFFF	Integrated Iron and Steel	X		X
GGGGG	Site Remediation	X		X
HHHHH	Miscellaneous Coating Manufacturing	X		X
IIIII	Mercury Emissions from Mercury Cell Chlor-Alkali Plants			X
JJJJJ	Brick and Structural Clay Products Manufacturing	X		X
KKKKK	Clay Ceramics Manufacturing	X		X
LLLLL	Asphalt Roofing and Processing	X		X
MMMMM	Flexible Polyurethane Foam Fabrication Operation	X		X
NNNNN	Hydrochloric Acid Production	X		X
PPPPP	Engine Test Cells/Stands	X		X
QQQQQ	Friction Products Manufacturing	X		X
RRRRR	Taconite Iron Ore Processing			X
SSSSS	Refractory Products Manufacturing	X		X
TTTTT	Primary Magnesium Refining			X
WWWWW	Hospital Ethylene Oxide Sterilizers	X	X	X
YYYYY	Electric Arc Furnace Steelmaking Facilities (area sources)	X		X
ZZZZZ	Iron and Steel Foundries Area Sources	X		X
BBBBBB	Gasoline Distribution Bulk Terminals, Bulk Plants and Pipeline Facilities	X	X	X
CCCCCC	Gasoline Dispensing Facilities	X	X	X
DDDDDD	Polyvinyl Chloride and Copolymers Production Area Sources	X		X
EEEEEE	Primary Copper Smelting Area Sources	X		X
FFFFFF	Secondary Copper Smelting Area Sources	X		X
GGGGGG	Primary Nonferrous Metals Area Sources—Zinc, Cadmium, and Beryllium	X		X
HHHHHH	Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources.	X	X	X
JJJJJJ	Industrial, Commercial, and Institutional Boilers and Process Heaters—Area Sources.	X		
LLLLLL	Acrylic and Modacrylic Fibers Production Area Sources	X		X
MMMMMM	Carbon Black Production Area Sources	X		X
NNNNNN	Chemical Manufacturing Area Sources: Chromium Compounds	X		X
OOOOOO	Flexible Polyurethane Foam Production and Fabrication Area Sources	X	X	X
PPPPPP	Lead Acid Battery Manufacturing Area Sources	X		X
QQQQQQ	Wood Preserving Area Sources	X		X
RRRRRR	Clay Ceramics Manufacturing Area Sources	X		X
SSSSSS	Glass Manufacturing Area Sources	X		X
TTTTTT	Secondary Nonferrous Metals Processing Area Sources	X		X
VVVVVV	Chemical Manufacturing Industry—Area Sources	X		
WWWWWW	Area Source Standards for Plating and Polishing Operations	X	X	X
XXXXXX	Area Source Standards for Nine Metal Fabrication and Finishing Source Categories.	X	X	X
YYYYYY	Area Sources: Ferroalloys Production Facilities			X
ZZZZZZ	Area Source Standards for Aluminum, Copper, and Other Nonferrous Foundries.	X		X
AAAAAAA	Asphalt Processing and Asphalt Roofing Manufacturing—Area Sources	X		
BBBBBBB	Chemical Preparations Industry—Area Sources	X		
CCCCCCC	Paint and Allied Products Manufacturing—Area Sources	X		
EEEEEEE	Gold Mine Ore Processing and Production—Area Sources	X		

<sup>1</sup> Nevada Division of Environmental Protection.<sup>2</sup> Washoe County Air Quality Management Division.<sup>3</sup> Clark County Department of Air Quality Management.

\* \* \* \* \*

[FR Doc. 2012-4563 Filed 2-24-12; 8:45 am]

BILLING CODE 6560-50-P

# ENVIRONMENTAL PROTECTION AGENCY

## 40 CFR Part 93

[EPA-HQ-OAR-2011-0393; FRL-9636-5]

RIN 2060-AR03

### Transportation Conformity Rule: MOVES Regional Grace Period Extension

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

**ACTION:** Final rule.

**SUMMARY:** EPA is taking final action to extend the grace period before the MOtor Vehicle Emission Simulator (MOVES) model is required for regional emissions analyses for transportation conformity determinations (“regional conformity analyses”). This final rule provides an additional year to the previously established two-year conformity grace period. As a result, EPA is announcing in this **Federal Register** that MOVES must be used for new regional conformity analyses that begin after March 2, 2013. This action does not affect EPA’s previous approval of the use of MOVES in state air quality implementation plan (SIP) submissions or the existing grace period before MOVES is required for carbon monoxide and particulate matter hot-spot analyses for project-level

conformity determinations (75 FR 79370).

**DATES:** This rule is effective on February 27, 2012.

**ADDRESSES:** EPA has established a docket for this action under Docket ID No. EPA-HQ-OAR-2011-0393. All documents in the docket are listed in the [www.regulations.gov](http://www.regulations.gov) index. Although listed in the index, some information may not be publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in [www.regulations.gov](http://www.regulations.gov) or in hard copy at the Air and Radiation Docket, EPA/DC, EPA West, Room 3334, 1301 Constitution Ave. NW., Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744 and the telephone number for the Air and Radiation Docket is (202) 566-1742.

**FOR FURTHER INFORMATION CONTACT:** Meg Patulski, State Measures and Transportation Planning Center, Transportation and Climate Division, Environmental Protection Agency, 2000 Traverwood Drive, Ann Arbor, MI 48105; telephone number: (734) 214-4842; fax number: (734) 214-4052; email address: [patulski.meg@epa.gov](mailto:patulski.meg@epa.gov); or Astrid Larsen, State Measures and Transportation Planning Center, Transportation and Climate Division,

Environmental Protection Agency, 2000 Traverwood Drive, Ann Arbor, MI 48105; telephone number: (734) 214-4812; fax number: (734) 214-4052; email address: [larsen.astrid@epa.gov](mailto:larsen.astrid@epa.gov).

#### SUPPLEMENTARY INFORMATION:

The content of this preamble is listed in the following outline:

- I. General Information
- II. Background
- III. Extension of MOVES Regional Conformity Grace Period
- IV. Conformity SIPs
- V. Statutory and Executive Order Reviews

#### Availability of MOVES and Support Materials

Copies of the official version of the MOVES motor vehicle emissions model, along with user guides and supporting documentation, are available on EPA’s MOVES Web site: [www.epa.gov/otaq/models/moves/index.htm](http://www.epa.gov/otaq/models/moves/index.htm).

Guidance on how to apply MOVES for SIPs and transportation conformity purposes can be found on the EPA’s transportation conformity Web site at: [www.epa.gov/otaq/stateresources/transconf/policy.htm](http://www.epa.gov/otaq/stateresources/transconf/policy.htm).

#### I. General Information

##### A. Does this action apply to me?

Entities potentially regulated by the transportation conformity rule are those that adopt, approve, or fund transportation plans, transportation improvement programs (TIPs), or projects under title 23 U.S.C. or title 49 U.S.C. chapter 53. Regulated categories and entities affected by today’s action include:

Category	Examples of regulated entities
Local government .....	Local transportation and air quality agencies, including metropolitan planning organizations (MPOs).
State government .....	State transportation and air quality agencies.
Federal government .....	Department of Transportation (Federal Highway Administration (FHWA) and Federal Transit Administration (FTA)).

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this final rule. This table lists the types of entities of which EPA is aware that potentially could be regulated by the transportation conformity rule. Other types of entities not listed in the table could also be regulated. To determine whether your organization is regulated by this action, you should carefully examine the applicability requirements in 40 CFR 93.102. If you have questions regarding the applicability of this final rule to a particular entity, consult the persons

listed in the preceding **FOR FURTHER INFORMATION CONTACT** section.

##### B. How do I get copies of this final rule and other documents?

###### 1. Docket

EPA has established an official public docket for this action under Docket ID No. EPA-HQ-OAR-2011-0393. You can get a paper copy of this **Federal Register** document, as well as the documents specifically referenced in this action, any public comments received, and other information related to this action at the official public docket. See the **ADDRESSES** section for its location.

###### 2. Electronic Access

You may access this **Federal Register** document electronically through EPA’s transportation conformity Web site at: [www.epa.gov/otaq/stateresources/transconf/conf-regs.htm](http://www.epa.gov/otaq/stateresources/transconf/conf-regs.htm). You may also access this document electronically under the **Federal Register** listings at: [www.epa.gov/fedrgstr/](http://www.epa.gov/fedrgstr/).

An electronic version of the official public docket is available through [www.regulations.gov](http://www.regulations.gov). You may use [www.regulations.gov](http://www.regulations.gov) to view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available