

Section 211(f)(4) of the Act provides that upon application of any fuel or fuel additive manufacturer, the Administrator may waive the prohibitions of section 211(f)(1) if the Administrator determines that the applicant has established that the fuel or fuel additive, or a specified concentration thereof, will not cause or contribute to a failure of any emission control device or system (over the useful life of the motor vehicle, motor vehicle engine, nonroad engine or nonroad vehicle in which such device or system is used) to achieve compliance by the vehicle or engine with the emission standards to which it has been certified pursuant to sections 206 and 213(a) of the Act. The statute requires that the Administrator shall take final action to grant or deny an application after public notice and comment, within 270 days of receipt of the application.

The Texas Methanol Corporation received a waiver under CAA section 211(f)(4) for a gasoline-alcohol fuel blend, known as OCTAMIX,<sup>4</sup> provided that the resultant fuel is composed of a maximum of 3.7 percent by weight fuel oxygen, a maximum of 5 percent by volume methanol, a minimum of 2.5 percent by volume co-solvents<sup>5</sup> and 42.7 milligrams per liter (mg/l) of Petrolite TOLAD MFA-10 corrosion inhibitor<sup>6</sup>. In the OCTAMIX waiver, the Agency invited other corrosion inhibitor manufacturers to submit test data to establish, on a case-by-case basis, whether their fuel additive formulations are acceptable as alternatives to TOLAD MFA-10.<sup>7</sup>

## II. Today's Announcement

On March 23, 2011, Spirit of 21st Century LLC requested EPA allow the use of its alternative corrosion inhibitor, TXCeed, in the OCTAMIX gasoline-alcohol fuel blend which otherwise would not be allowed under the waiver.<sup>8</sup> Spirit of 21st Century LLC subsequently followed up its March

23rd request with additional information on May 17, 2011 and August 15, 2011.<sup>9 10</sup> TXCeed is a fuel additive formulation consisting of a corrosion inhibitor. The physical properties of TXCeed are shown in Docket ID Number EPA-HQ-OAR-2011-0893.

One of the major areas of concern to EPA in reviewing any waiver request is the problem of materials compatibility. Materials compatibility data could show a potential failure of fuel systems, emissions related parts and emission control parts from use of the fuel or fuel additive. Any failure could result in greater emissions that would cause or contribute to the engines or vehicles exceeding their emissions standards. Initially, Texas Methanol requested the use of TOLAD MFA-10 or an appropriate concentration of any other corrosion inhibitor such that the fuel will pass the National Association of Corrosion Engineer's TM-01-72 (NACE RUST TEST). However, EPA concluded that compliance with the NACE Rust Test alone was not adequate in determining suitability of a corrosion inhibitor for use under the OCTAMIX waiver.<sup>11</sup> The Agency decided, therefore, to look at corrosion inhibitors on a case-by-case basis to establish whether each formulation would be acceptable as an alternative to the formulation of the original corrosion inhibitor used in the OCTAMIX waiver.<sup>12</sup>

Therefore, pursuant to section 211(f)(4), EPA will examine the data submitted by Spirit of 21st Century LLC, along with all comments received from interested parties, to determine whether use of the corrosion inhibitor, TXCeed, in place of the original corrosion inhibitor TOLAD MFA-10, would cause or contribute to vehicles or engines failing to meet their emissions standards when using OCTAMIX. If use of TXCeed does not cause or contribute to such failures, EPA will modify the OCTAMIX waiver to allow the use of TXCeed as an alternative corrosion inhibitor to TOLAD MFA-10.

Dated: December 7, 2011.

**Gina McCarthy,**  
Assistant Administrator.

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9506-7; Docket ID No. EPA-HQ-ORD-2011-0895]

### Draft Research Report: Investigation of Ground Water Contamination Near Pavillion, Wyoming

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

**ACTION:** Notice of Public Comment Period.

**SUMMARY:** EPA is announcing a 45-day public comment period for the external review of the draft research report titled, "Investigation of Ground Water Contamination near Pavillion, Wyoming." The draft research report was prepared by the National Risk Management Research Laboratory (NRMRL), within the EPA Office of Research and Development (ORD), and EPA Region 8. EPA is releasing this draft research report solely for the purpose of pre-dissemination peer review. This draft research report has not been formally disseminated by EPA. It does not represent and should not be construed to represent any Agency policy or determination. Eastern Research Group, Inc. (ERG), an EPA contractor for external peer review, will convene an independent panel of experts for peer review of this draft research report. Public comments submitted during the public comment period will be made available to the peer review panel for consideration in their review. In preparing a final report, EPA will consider the recommendations of the peer review panel.

**DATES:** The public comment period begins December 14, 2011, and ends January 27, 2011. Comments should be submitted to the docket or received in writing by EPA by January 27, 2011.

**ADDRESSES:** The draft "Investigation of Ground Water Contamination near Pavillion, Wyoming" is available via the Internet on the EPA Region 8 home page under the Key Issues menu, Pavillion Groundwater Investigation at <http://www.epa.gov/region8/superfund/wy/pavillion/>.

Comments may be submitted electronically via <http://www.regulations.gov>, by email, by mail, by facsimile, or by hand delivery/courier. Please follow the detailed instructions provided in the **SUPPLEMENTARY INFORMATION** section of this notice.

*Additional Information:* For information on the docket, <http://www.regulations.gov>, or the public comment period, please contact the

<sup>4</sup> OCTAMIX decision, 53 FR 3636 (February 8, 1988).

<sup>5</sup> The co-solvents are any one or a mixture of ethanol, propanols, butanols, pentanols, hexanols, heptanols and octanols with the following constraints; the ethanol, propanols and butanols or mixtures thereof must compose a minimum of 60 percent by weight of the co-solvent mixture; a maximum limit of 40 percent by weight of the co-solvents mixture is placed on the pentanols, hexanols, heptanols and octanols; and the heptanols and octanols are limited to 5 percent by weight of the co-solvent mixture.

<sup>6</sup> Additional conditions were the final fuel must meet ASTM volatility specifications contained in ASTM D439-85a, as well as phase separation conditions specified in ASTM D-2 Proposal P-176 and Texas Methanol alcohol purity specifications.

<sup>7</sup> 53 FR at 3637.

<sup>8</sup> EPA-HQ-OAR-2011-0893-01.

<sup>9</sup> EPA-HQ-OAR-2011-0893-02.

<sup>10</sup> EPA-HQ-OAR-2011-0893-03.

<sup>11</sup> 53 FR at 3637.

<sup>12</sup> 53 FR at 3637.

Office of Environmental Information (OEI) Docket (Mail Code: 2822T), U.S. Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone: (202) 566-1752; facsimile: (202) 566-1753; or email: [ORD.Docket@epa.gov](mailto:ORD.Docket@epa.gov).

For information on the draft research report, please contact Rebecca Foster, U.S. Environmental Protection Agency, P.O. Box 1198, Ada, OK 74821; telephone: (580) 436-8750; facsimile: (580) 436-8529; or email: [foster.rebecca@epa.gov](mailto:foster.rebecca@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Information About Pavillion Ground Water Investigation**

Pavillion, Wyoming is located in Fremont County, about 20 miles northwest of Riverton. The concern at the site is potential ground water contamination, based on resident complaints about smells, tastes, and adverse changes in the quality of the water in their domestic wells. In collaboration with ORD, Region 8 has been conducting a ground water investigation. The purpose of this ground water investigation is to better understand the basic ground water hydrology and how the constituents of concern may be occurring in the aquifer. More information is available at <http://www.epa.gov/region8/superfund/wy/pavillion/>.

**II. How To Submit Comments to the Docket at <http://www.regulations.gov>**

Submit your comments, identified by Docket ID No. EPA-HQ-ORD-2011-0895, by one of the following methods:

- <http://www.regulations.gov>: Follow the on-line instructions for submitting comments.
- *Email*: [ORD.Docket@epa.gov](mailto:ORD.Docket@epa.gov).
- *Facsimile*: (202) 566-1753.
- *Mail*: Office of Environmental Information (OEI) Docket (Mail Code: 2822T), U.S. Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460. The telephone number is (202) 566-1752. If you provide comments by mail, please submit one unbound original with pages numbered consecutively, and three

copies of the comments. For attachments, provide an index, number pages consecutively with the comments, and submit an unbound original and three copies.

- *Hand Delivery*: The OEI Docket is located in the EPA Headquarters Docket Center, EPA West Building, Room 3334, 1301 Constitution Ave. NW., Washington, DC. The EPA Docket Center 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. Deliveries are only accepted during the docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information. If you provide comments by hand delivery, please submit one unbound original with pages numbered consecutively, and three copies of the comments. For attachments, provide an index, number pages consecutively with the comments, and submit an unbound original and three copies.

*Instructions*: Direct your comments to Docket ID No. EPA-HQ-ORD-2011-0895. Please ensure that your comments are submitted within the specified comment period. It is EPA's policy to include all comments it receives in the public docket without change and to make the comments available online at <http://www.regulations.gov>, including any personal information provided, unless comments include information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through <http://www.regulations.gov> or email. The <http://www.regulations.gov> Web site is an "anonymous access" system, which means that EPA will not know your identity or contact information unless you provide it in the body of your comments. If you send email comments directly to EPA without going through <http://www.regulations.gov>, your email address will be automatically captured and included as part of the comments that are placed in the public docket and

made available on the Internet. If you submit electronic comments, EPA recommends that you include your name and other contact information in the body of your comments and with any disk or CD-ROM you submit. If EPA cannot read your comments due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comments. Electronic files should avoid the use of special characters and any form of encryption and be free of any defects or viruses. For additional information about EPA's public docket, visit the EPA Docket Center homepage at <http://www.epa.gov/epahome/dockets.htm>.

*Docket*: All documents in the docket are listed in the <http://www.regulations.gov> index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically at <http://www.regulations.gov> or in hard copy at the OEI Docket in the EPA Headquarters Docket Center.

Dated: December 5, 2011.

**Cynthia Sonich-Mullin,**

*Director, National Risk Management Research Laboratory.*

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**FEDERAL COMMUNICATIONS COMMISSION**

**Sunshine Act Meeting; Open Commission Meeting; Tuesday, December 13, 2011**

December 6, 2011.

The Federal Communications Commission will hold an Open Meeting on the subjects listed below on Tuesday, December 13, 2011. This meeting is scheduled to commence at 10:45 a.m. in Room TW-C305, at 445 12th Street SW., Washington, DC.

Item Nos.	Bureau	Subject
1	Media .....	<i>Title</i> : Implementation of the Commercial Advertisement Loudness Mitigation (CALM) Act (MB Docket No. 11-93) <i>Summary</i> : The Commission will consider a Report and Order that protects consumers by implementing the Commercial Advertisement Loudness Mitigation (CALM) Act to prevent digital television commercial advertisements from being transmitted at louder volumes than the program material they accompany.
2	International .....	<i>Title</i> : Third Report and Analysis of Competitive Market Conditions with Respect to Domestic and International Satellite Communications Services (IB Docket No. 09-16) and Report and Analysis of Competitive Market Conditions with Respect to Domestic and International Satellite Communications Services (IB Docket No. 10-99)