

available and applicable voluntary consensus standards.

The EPA believes that this proposed action is not subject to requirements of Section 12(d) of NTTAA because application of those requirements would be inconsistent with the Clean Air Act.

*J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Population*

Executive Order (EO) 12898 (59 FR 7629 (Feb. 16, 1994)) establishes federal executive policy on environmental justice. Its main provision directs federal agencies, to the greatest extent practicable and permitted by law, to make environmental justice part of their mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority populations and low-income populations in the United States.

EPA lacks the discretionary authority to address environmental justice in this proposed rulemaking.

**List of Subjects in 40 CFR Part 52**

Environmental protection, Air pollution control, Nitrogen dioxide, Ozone, Particulate matter, Volatile organic compounds.

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

Dated: July 20, 2012.

**Jared Blumenfeld,**

*Regional Administrator, Region IX.*

[FR Doc. 2012-18547 Filed 7-27-12; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[EPA-R09-OAR-2012-0556; FRL-9706-7]

**Revisions to the Nevada State Implementation Plan, Washoe County Air Quality District**

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve revisions to the Washoe County District Board of Health (WCDBOH) portion of the Nevada State Implementation Plan (SIP) that EPA expects to be submitted by the Nevada Division of Environmental Protection (NVDEP).

These revisions concern regulations regarding compliance with permit conditions, recordkeeping, source sampling and testing, and statements of compliance with 40 CFR part 70 permits. These regulations generally regulate emissions of criteria pollutants such as volatile organic compounds (VOC), oxides of nitrogen (NO<sub>x</sub>), and particulate matter (PM). This proposed approval is based upon proposed regulations submitted by NVDEP and an accompanying request that EPA proceed with SIP review while the State and local agencies complete their public review and agency adoption processes. EPA will not take final action on these regulations until NVDEP submits the final adopted versions to EPA as a revision to the Nevada SIP. Final EPA approval of the regulations and incorporation of them into the Nevada SIP would make them federally enforceable under the Clean Air Act (CAA). We are taking comments on this proposal and plan to follow with a final action.

**DATES:** Any comments must arrive by August 29, 2012.

**ADDRESSES:** Submit comments, identified by docket number EPA-R09-OAR-2012-0556, 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 deliver:* 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.

**Docket:** Generally, documents in the docket for this action are 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 at [www.regulations.gov](http://www.regulations.gov), some information may be publicly available only at the hard copy location (e.g., copyrighted material, large maps), 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:** Cynthia Allen, EPA Region IX, (415) 947-4120, [allen.cynthia@epa.gov](mailto:allen.cynthia@epa.gov).

**SUPPLEMENTARY INFORMATION:**

Throughout this document, “we,” “us” and “our” refer to EPA.

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**I. The State’s Submittal**

*A. What rules did the State submit?*

By letter dated July 5, 2012, NVDEP submitted to EPA on behalf of WCDBOH, unofficial copies of several rules, with a request for approval of these provisions into the SIP by parallel processing.<sup>1</sup> See July 5, 2012 letter to Jared Blumenfeld, Regional Administrator, EPA Region 9, from Colleen Cripps, Administrator, NVDEP. Table 1 lists the four rules addressed by this proposal.

<sup>1</sup> Under EPA’s “parallel processing” procedure, EPA proposes rulemaking action concurrently with the State’s proposed rulemaking. If the State’s proposed rule is changed, EPA will evaluate that subsequent change and may publish another notice of proposed rulemaking. If no significant change is made, EPA will publish a final rulemaking on the rule after responding to any submitted comments. Final rulemaking action by EPA will occur only after the rule has been fully adopted by Nevada and submitted formally to EPA for incorporation into the SIP. See 40 CFR part 51, appendix V.

TABLE 1—RULES SUBMITTED BY NEVADA FOR PARALLEL PROCESSING

Local agency	Rule No.	Rule title
WCDBOH .....	030.218	Demonstration of Compliance.
WCDBOH .....	030.230	Record Keeping.
WCDBOH .....	030.235	Requirements for Source Sampling and Testing.
WCDBOH .....	030.970A	Part 70 Permit Monitoring and Compliance.

The above rules have been adopted locally but have not been adopted specifically for purposes of approval into the federally enforceable SIP under CAA section 110. NVDEP has requested that WCDBOH adopt these regulations following public process for purposes of SIP approval and thereafter submit the rules to NDEP for transmittal to EPA as SIP revisions. Concurrent with these county processes, NVDEP anticipates that it will schedule a public hearing in August on its proposal to submit these rules to EPA for incorporation into the SIP, and intends to submit the final SIP revision to EPA by late August. We note that because the state and county rulemaking processes here are solely for purposes of adopting these regulations as SIP revisions under CAA section 110 and not for purposes of revising any of the regulations, we do not expect any substantive changes between the proposed and final submittals. Final approval of these rules, however, is contingent upon EPA's receipt of fully adopted rules that satisfy state and local procedural requirements for SIP submittals.

*B. Are there other versions of these rules?*

There are no SIP-approved versions of WCDBOH Rules 030.218, 030.230, 030.235, and 030.970.

*C. What is the purpose of the submitted rules?*

The submitted rules govern demonstrating compliance with permit conditions, recordkeeping, source sampling and testing, and statements of compliance with 40 CFR Part 70 permits. These regulations generally regulate, among other things, emissions of criteria pollutants such as VOCs, NO<sub>x</sub> and PM. VOCs help produce ground-level ozone and smog, which harm human health and the environment. NO<sub>x</sub> helps produce ground-level ozone, smog and particulate matter, which harm human health and the environment. PM contributes to effects that are harmful to human health and the environment, including premature mortality, aggravation of respiratory and cardiovascular disease, decreased lung function, visibility impairment, and damage to vegetation and ecosystems.

Section 110(a) of the CAA requires States to submit regulations that control VOC, NO<sub>x</sub>, and PM emissions.

- Section 030.218, Demonstration of Compliance, states that the Control Officer may require the operator of a source to provide any applicable data to demonstrate compliance with the conditions of the Permit to Operate.

- Section 030.230, Record Keeping, states that the Control Officer may require any holder of a Permit to Operate to keep adequate records concerning contaminant emissions for any equipment or process for which the permit was issued.

- Section 030.235, Requirement for Source Sampling and Testing, requires the APCO to determine the exact quantity and effect of emissions produced by stationary sources. The APCO may require source stack testing, or other types of source testing including, but not limited to, mass balance types of analysis, be made by the operator.

- Section 030.970A, Part 70 Permit Monitoring and Compliance, requires sources subject to 40 CFR Part 70 permitting requirements to submit an annual statement of compliance covering certain specified items.

EPA's technical support document (TSD) has more information about these rules.

## II. EPA's Evaluation and Proposed Action

### A. How is EPA evaluating the rules?

Generally, SIP rules must be enforceable (see section 110(a) of the Act) and must not relax existing requirements (see sections 110(l) and 193). Guidance and policy documents that we use to evaluate enforceability requirements consistently include the following:

1. "Issues Relating to VOC Regulation Cutpoints, Deficiencies, and Deviations," EPA, May 25, 1988 (the Bluebook).

2. "Guidance Document for Correcting Common VOC & Other Rule Deficiencies," EPA Region 9, August 21, 2001 (the Little Bluebook).

3. State Implementation Plans; General Preamble for the Implementation of Title I of the Clean Air Act Amendments of 1990 (57 FR

13498, April 16, 1992) ("General Preamble").

### B. Do the rules meet the evaluation criteria?

We believe these rules are consistent with the applicable requirements and guidance regarding enforceability and SIP relaxations. The TSD has more information on our evaluation.

### C. Public Comment and Proposed Action

Because EPA believes the submitted rules fulfill all applicable CAA requirements, we are proposing to fully approve them under section 110(k)(3) of the Act. We will accept comments from the public on this proposal for the next 30 days. Unless we receive convincing new information during the comment period or NVDEP does not submit the adopted SIP revisions as expected, we intend to publish a final approval action that will incorporate these rules into the federally enforceable SIP.

## III. Statutory and Executive Order Reviews

Under the Clean Air Act, 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 Clean Air Act. Accordingly, this proposed action merely proposes to approve State law as meeting Federal requirements and does not impose additional requirements beyond those imposed by State law. For that reason, this proposed 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 Clean Air Act; 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 proposed action 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 in 40 CFR Part 52

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

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

Dated: July 19, 2012.

**Jared Blumenfeld,**

*Regional Administrator, Region IX.*

[FR Doc. 2012-18500 Filed 7-27-12; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 141 and 142

[FRL-9708-1]

#### Public Meeting: Potential Regulatory Implications of the Reduction of Lead in Drinking Water Act of 2011

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

**ACTION:** Notice.

**SUMMARY:** The U.S. Environmental Protection Agency (EPA) is hosting a public meeting on August 16, 2012, to discuss and solicit input from States, manufacturers, drinking water systems, other interested groups and consumers on the implementation of the Reduction of Lead in Drinking Water Act of 2011 (“the Act”). The Act was signed on January 4, 2011, and will be effective on January 4, 2014. The Act amended Section 1417 of the Safe Drinking Water Act (SDWA), which prohibits the use of certain plumbing products that are not “lead free” (as defined by SDWA), and makes it unlawful to introduce into commerce products that are not “lead free.”

**DATES:** The public meeting will be held at the Environmental Protection Agency Conference Center (lobby level-room 1204). One Potomac Yard (South Building) 2777 S. Crystal Drive, Arlington, VA 22202 on Thursday, August 16, 2012, from 1:00 p.m. to 4:30 p.m., Eastern Daylight Time (EDT). All attendees must go through a metal detector, sign in with the security desk, and show government issued photo identification to enter the building. Teleconference and webcast attendance will be available. Instructions for registration for the meeting are located in the **SUPPLEMENTARY INFORMATION** section of this notice.

**FOR FURTHER INFORMATION CONTACT:** For general information about this meeting, contact Lameka Smith, Standards and Risk Management Division, Office of Ground Water and Drinking Water; by phone (202) 564-1629 or by email [smith.lameka@epa.govmailto:](mailto:smith.lameka@epa.govmailto:). For the full text of the Reduction of Lead in Drinking Water Act of 2011, please visit: [www.gpo.gov/fdsys/pkg/PLAW.../pdf/PLAW-111publ380.pdf](http://www.gpo.gov/fdsys/pkg/PLAW.../pdf/PLAW-111publ380.pdf). For additional information about the Lead and Copper Rule, please visit: <http://water.epa.gov/lawsregs/rulesregs/sdwa/lcr/index.cfm>.

#### SUPPLEMENTARY INFORMATION:

**Registration:** Individuals planning to attend in person, by teleconference, or via webcast must register for the meeting by contacting Junie Percy of IntelliTech at (937) 427-4148 ext. 210, or by email [junie.percy@itsysteminc.com](mailto:junie.percy@itsysteminc.com) no later than August 15, 2012. There is no charge for attending this public meeting, but seats and phone lines are limited, so please register as soon as possible.

**Reduction of Lead in Drinking Water Act:** The Act made several key changes to Section 1417: First, the Act changed the definition of “lead-free” under SDWA by reducing the lead content to a weighted average of not more than 0.25% in the wetted surface material.

Second, the Act also amended the definition of “lead free” by adding a specific formula for calculating lead content. Third, the Act created two separate exemptions to the prohibitions on the use and introduction into commerce of products that are not “lead-free.” Some of the changes the Act makes to SDWA Section 1417 raise implementation challenges and issues that may warrant regulatory changes beyond codification of the statutory changes into the Code of Federal Regulations. EPA would make any needed regulatory changes as part of the Lead and Copper Rule long-term revisions (LCR-LTR). However, because the final LCR-LTR will be published after the effective date of the Act, EPA intends to provide information to assist plumbing manufacturers, States, water systems, plumbing retailers and other affected parties in implementing the provisions of the Act starting in 2014. Information from this stakeholder meeting will help inform regulatory revisions that will be included in the LCR-LTR.

**Special Accommodations:** For information on access or to request special accommodations for individuals with disabilities, please contact Lameka Smith, Standards and Risk Management Division, Office of Ground Water and Drinking Water, U.S. Environmental Protection Agency; by telephone (202) 564-1629 or email [smith.lameka@epa.govmailto:](mailto:smith.lameka@epa.govmailto:). Please allow at least five business days prior to the meeting to provide EPA with time to process your request.

Dated: July 24, 2012.

**Pamela S. Barr,**

*Acting Director, Office of Ground Water and Drinking Water.*

[FR Doc. 2012-18525 Filed 7-27-12; 8:45 am]

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## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 206

[Docket ID FEMA-2010-0035]

RIN 1660-AA68

#### Housing Assistance Due to Structural Damage

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** Under the authority of section 408 of the Robert T. Stafford Disaster