

Anaya, Special Rapporteur on the rights of Indigenous peoples in the United Nations Office of the High Commissioner for Human Rights. A copy of the agenda will be posted at <http://www.epa.gov/ofacmo/nacgac-page.htm>.

**DATES:** The NAC/GAC will hold a public teleconference on Friday, February 15, 2013, from 12:30 p.m. to 1:30 p.m. Eastern Standard Time.

**ADDRESSES:** The meeting will be held at the U.S. EPA East Building, 1201 Constitution Ave. NW., Room 1132, Washington, DC 20004.

**FOR FURTHER INFORMATION CONTACT:** Oscar Carrillo, Designated Federal Officer, [carrillo.oscar@epa.gov](mailto:carrillo.oscar@epa.gov), 202-564-0347, U.S. EPA, Office of Federal Advisory Committee Management and Outreach (1601-M), 1200 Pennsylvania Avenue NW., Washington, DC 20460.

**SUPPLEMENTARY INFORMATION:** Requests to make oral comments or to provide written comments to NAC/GAC should be sent to Oscar Carrillo at [carrillo.oscar@epa.gov](mailto:carrillo.oscar@epa.gov) by Thursday, February 7, 2013. The meeting is open to the public, with limited seating on a first-come, first-served basis. Members of the public wishing to participate in the teleconference should contact Oscar Carrillo at [carrillo.oscar@epa.gov](mailto:carrillo.oscar@epa.gov) or (202) 564-0347 by February 7, 2013.

**Meeting Access:** For information on access or services for individuals with disabilities, please contact Oscar Carrillo at 202-564-0347 or [carrillo.oscar@epa.gov](mailto:carrillo.oscar@epa.gov). To request accommodation of a disability, please contact Oscar Carrillo, preferably at least 10 days prior to the meeting, to give EPA as much time as possible to process your request.

Dated: January 24, 2013.

**Oscar Carrillo,**  
Designated Federal Officer.

[FR Doc. 2013-02215 Filed 1-31-13; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9775-1]

### Clean Air Act Operating Permit Program; Petition for Objection to State Operating Permit for Noranda Alumina, LLC

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

**ACTION:** Notice of final action.

**SUMMARY:** This document announces that the EPA Administrator has responded to a citizen petition asking

EPA to object to an operating permit (Permit Number 2453-V2) issued by the Louisiana Department of Environmental Quality (LDEQ). Specifically, the Administrator has denied the March 28, 2011 petition, submitted by the Louisiana Environmental Action Network (LEAN), Sierra Club, and O'Neil Couvillion (the Petitioners), to object to the operating permit issued on February 15, 2011 to Noranda Alumina, LLC, for the operation of the alumina production plant located in Gramercy, St James Parish, Louisiana. Sections 307(b) and 505(b)(2) of the Act provide that a petitioner may ask for judicial review of those portions of the petition which EPA denies in the United States Court of Appeals for the appropriate circuit. Any petition for review shall be filed within 60 days from the date this notice appears in the **Federal Register**, pursuant to section 307 of the Act.

**ADDRESSES:** You may review copies of the final Order, the petition, and other supporting information at EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733.

EPA requests that if at all possible, you contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section to view copies of the final Order, petition, and other supporting information. You may view the hard copies Monday through Friday, from 9:00 a.m. to 3:00 p.m., excluding Federal holidays. If you wish to examine these documents, you should make an appointment at least 24 hours before the visiting day. Additionally, the final Order for Noranda Alumina LLC is available electronically at: [http://www.epa.gov/region07/air/title5/petitiondb/petitions/noranda\\_response2011.pdf](http://www.epa.gov/region07/air/title5/petitiondb/petitions/noranda_response2011.pdf).

**FOR FURTHER INFORMATION CONTACT:** Brad Toups at (214) 665-7258, email address: [toups.brad@epa.gov](mailto:toups.brad@epa.gov) or the above EPA, Region 6 address.

**SUPPLEMENTARY INFORMATION:** The CAA affords EPA a 45-day period to review, and object to as appropriate, a Title V operating permit proposed by State permitting authorities. Section 505(b)(2) of the CAA authorizes any person to petition the EPA Administrator, within 60 days after the expiration of this review period, to object to a Title V operating permit if EPA has not done so. Petitions must be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided by the State, unless the petitioner demonstrates that it was impracticable to raise these issues during the comment period or the grounds for the issue arose after this period.

EPA received a petition from the Petitioners dated March 28, 2011, requesting that EPA object to the issuance of the Title V operating permit to Noranda Alumina LLC (Noranda), for the operation of the alumina production plant in Gramercy, St. James Parish, Louisiana for the following reasons: (1) The Title V Permit fails to incorporate applicable PSD requirements because: LDEQ violated the PSD public participation requirements; certain stack tests show the NO<sub>x</sub> emissions exceed PSD thresholds, yet the Title V Permit fails to include applicable PSD requirements for NO<sub>x</sub> emissions; LDEQ failed to support its conclusion that emissions from the yield improvement project do not trigger PSD review; and LDEQ failed to apply Best Available Control Technology to NO<sub>x</sub> emissions from the yield improvement project; (2) LDEQ failed to include emission limits for PM<sub>2.5</sub> emissions; and (3) the Title V Permit fails to include a case-specific Maximum Achievable Control Technology Standard for Noranda's Industrial Boilers.

On December 14, 2012, the Administrator issued an Order denying the petition. The Order explains the reasons behind EPA's conclusion to deny the petition.

Dated: January 17, 2013.

**Ron Curry,**

Regional Administrator, Region 6.

[FR Doc. 2013-02229 Filed 1-31-13; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9774-7]

### Notice of Proposed Administrative Cashout Agreement Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act; In Re: The Miller Salvage Superfund Site, Latham, Pike County, OH

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

**ACTION:** Notice; request for public comment.

**SUMMARY:** Notice is hereby given of a proposed administrative settlement under CERCLA concerning the Miller Salvage Superfund Site ("Site") in Latham, Pike County, Ohio. Subject to review and comment by the public pursuant to this Notice. The settlement resolves a United States Environmental Protection Agency claim under Sections 106, 107(a), and 122 of CERCLA, against one party who has executed binding

certifications of its consent to the settlement, as listed below in the Supplemental Information Section.

The settlement requires the settling party to pay a total of \$52,000 to the EPA Hazardous Substances Superfund. The payment received shall be applied, retained, or used to finance the response actions taken or to be taken at or in connection with the Site. For thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the settlement. The Agency will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations which indicate that the settlement is inappropriate, improper, or inadequate. The Agency's response to any comments received will be available for public inspection at the EPA, Region 5, 7th Floor File Room, 77 West Jackson Boulevard, Chicago, Illinois.

**DATES:** Comments must be submitted by March 4, 2013.

**ADDRESSES:** The proposed settlement is available for public inspection at the EPA, Region 5, 7th Floor File Room, 77 West Jackson Boulevard, Chicago, Illinois. In addition, a copy of the proposed settlement also may be obtained from Nola M. Hicks, Associate Regional Counsel (C-14J), Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590, or by calling (312) 886-7949. Comments should reference the Miller Salvage Superfund Site, Latham, Pike County, Ohio and EPA Docket No. and should be addressed to Nola M. Hicks, Associate Regional Counsel (C-14J), Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

**SUPPLEMENTARY INFORMATION:** The parties listed below have executed binding certifications of their consent to participate in the settlement. MASCO Cabinetry Middlefield LLC, successor by way of merger to Mill's Pride, LP.

**FOR FURTHER INFORMATION CONTACT:** Nola M. Hicks, Associate Regional Counsel (C-14J), Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, or call (312) 886-7949.

**Authority:** The Comprehensive Environmental Response, Compensation and Liability Act, of 1980, 42 U.S.C. 9604, 9606(a), 9607, and 9622, as amended.

Dated: December 20, 2012.

**Richard C. Karl,**

*Director, Superfund Division, Region 5.*

[FR Doc. 2013-02227 Filed 1-31-13; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9774-9]

### Adequacy Status of the Dallas-Fort Worth, TX Reasonable Further Progress 8-Hour Ozone Motor Vehicle Emission Budgets for Transportation Conformity Purposes

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

**ACTION:** Notice of adequacy.

**SUMMARY:** EPA is notifying the public that it has found that the motor vehicle emissions budgets (MVEBs) in the Dallas-Fort Worth, Texas (DFW) Reasonable Further Progress (RFP) State Implementation Plan (SIP) revision, submitted on January 17, 2012 by the Texas Commission on Environmental Quality (TCEQ) are adequate for transportation conformity purposes. As a result of EPA's finding, the DFW area must use these budgets for future conformity determinations.

**DATES:** These budgets are effective February 19, 2013.

**FOR FURTHER INFORMATION CONTACT:** The essential information in this notice will be available at EPA's conformity Web site: <http://www.epa.gov/otaq/stateresources/transconf/adequacy.htm>. You may also contact Mr. Jeffrey Riley, Air Planning Section (6PD-L), U.S. Environmental Protection Agency, Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733, telephone (214) 665-8542, Email address: [Riley.Jeffrey@epa.gov](mailto:Riley.Jeffrey@epa.gov).

**SUPPLEMENTARY INFORMATION:** Throughout this document "we," "us," and "our" refers to EPA. The word "budget(s)" refers to the mobile source emissions budget for volatile organic compounds (VOCs) and the mobile source emissions budget for nitrogen oxides (NO<sub>x</sub>).

On January 17, 2012, we received a SIP revision from the TCEQ. This revision consisted of an RFP SIP for the DFW ozone nonattainment area. This submission established MVEBs for the DFW area for the years 2011 and 2012. The MVEB is the amount of emissions allowed in the state implementation plan for on-road motor vehicles; it establishes an emissions ceiling for the regional transportation network. The MVEBs are provided in Table 1:

TABLE 1—DALLAS-FORT WORTH REASONABLE FURTHER PROGRESS NO<sub>x</sub> AND VOC MVEBS

[Summer season tons per day]

	2011	2012
NO <sub>x</sub> .....	197.05	195.39
VOC .....	89.54	82.20

On February 27, 2012, EPA posted the availability of the DFW area MVEBs on EPA's Web site for the purpose of soliciting public comments, as part of the adequacy process. The comment period closed on March 28, 2012, and we received no comments.

Today's notice is simply an announcement of a finding that EPA has already made. EPA Region 6 sent a letter to TCEQ on December 27, 2012, finding that the MVEBs in the DFW RFP SIP, submitted on January 17, 2012 are adequate and must be used for transportation conformity determinations in the DFW area. This finding has also been announced on EPA's conformity Web site: <http://www.epa.gov/otaq/stateresources/transconf/adequacy.htm>.

Transportation conformity is required by section 176(c) of the Clean Air Act. EPA's conformity rule, 40 Code of Federal Regulations (CFR) part 93, requires that transportation plans, programs and projects conform to state air quality implementation plans and establishes the criteria and procedures for determining whether or not they do so. Conformity to a SIP means that transportation activities will not produce new air quality violations, worsen existing violations, or delay timely attainment of the national ambient air quality standards.

The criteria by which EPA determines whether a SIP's MVEB is adequate for transportation conformity purposes are outlined in 40 CFR 93.118(e)(4). We have also described the process for determining the adequacy of submitted SIP budgets in our July 1, 2004, final rulemaking entitled, "Transportation Conformity Rule Amendments for the New 8-hour Ozone and PM<sub>2.5</sub> National Ambient Air Quality Standards and Miscellaneous Revisions for Existing Areas; Transportation Conformity Rule Amendments: Response to Court Decision and Additional Rule Changes" (69 FR 40004). Please note that an adequacy review is separate from EPA's completeness review, and it should not be used to prejudge EPA's ultimate approval of the DFW RFP SIP revision submittal. Even if EPA finds the budgets adequate, the DFW RFP SIP revision submittal could later be disapproved.