

date as the approved BART.

Additionally, the permit provides that unless LNBs have been installed and operating, as required in Permit Condition 3.7, on and after July 22, 2016, the Riley Boiler may be fired only using natural gas, and that on, and after July 22, 2016, the Riley Boiler may not be fired with coal until such date that the coal-fired LNBs are installed and operated in accordance with the permit. See 2011 TASCOS Tier II Operating Permit, Permit Condition 3.9. Permit condition 14.9 of TASCOS Tier I Operating Permit T1-050020, issued May 23, 2006, required the North and Central pulp dryers to be permanently shut down and Permit Condition 4.1 of the 2011 TASCOS Tier II Operating Permit, requires the South Pulp Dryer to be permanently shutdown. Thus, there is no delay in compliance with BART requirements under the BART Alternative.

The 2011 TASCOS Tier II Operating Permit contains the emission limitations discussed above. See 2011 TASCOS Tier II Operating Permit, Permit Condition 3.4 and 3.5. The permit also contains requirements for a non-visibility impairing pollutant, specifically carbon monoxide (CO). Permit Condition 3.12 requires performance testing for CO. The EPA proposes no action on this permit condition, as it does not pertain to visibility.

The second paragraph of Condition 3.3 of the Permit allows TASCOS to submit a request to obtain IDEQ approved alternatives to BART and to revise the Permit and explains that IDEQ will process the request in accordance with its permitting rules. The condition further provides that the request must be submitted in time for any such revision to the permit and the corresponding revision to the RH SIP to be approved prior to July 22, 2016. This provision is administrative in nature and addresses the State's procedure for possible future revisions to the permit. As such it is not necessary or appropriate for EPA to act on this provision. Nevertheless, we note that a revision to a Federally approved permit must meet applicable Federal requirements before it could be incorporated into the Federally approved SIP. The EPA cannot assure Idaho or TASCOS that any submitted BART Alternative measure will be approved until that measure has been thoroughly evaluated by the EPA as meeting Federal requirements.

#### V. The EPA's Proposed Action

The EPA is proposing to vacate our previous BART determination for the TASCOS facility and to approve Idaho's

2012 RH SIP submittal including the revised NO<sub>x</sub> BART determination for the TASCOS Riley Boiler and the 2011 TASCOS Tier II Operating Permit containing the BART Alternative conditions 1.2 including the table of Regulated Emission Point Sources Table, 3.2, 3.3 (first paragraph only), 3.4, 3.5, 3.6, 3.7, 3.8, 3.9, 3.11, 3.13, 3.14, 3.15, 3.16, and 4.1. Specifically, the EPA proposes to approve new BART emission limitations for NO<sub>x</sub>, the revised PM emission limitations and the BART Alternative at the TASCOS facility because they provide greater overall reasonable progress toward achieving natural conditions in affected Class I areas than the previously approved BART determination for the TASCOS facility.

#### VI. Statutory and Executive Order Review

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 approves 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, as appropriate, disproportionate human health or environmental effects, using practicable 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 rule neither imposes substantial direct compliance costs on tribal governments, nor preempts tribal law. Therefore, the requirements of section 5(b) and 5(c) of the Executive Order do not apply to this rule.

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

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, and Visibility.

Dated: June 14, 2013.

**R. David Allnutt,**

*Acting Regional Administrator, Region 10.*

[FR Doc. 2013-15442 Filed 6-27-13; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 60

[EPA-HQ-OAR-2012-0640] FRL-9829-3

RIN 2060-AR64

#### Kraft Pulp Mills NSPS Review

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

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

**SUMMARY:** The EPA is announcing that the period for providing public comments on the May 23, 2013, proposed rule titled, "Kraft Pulp Mills NSPS Review" is being extended by 15 days.

**DATES:** *Comments.* The public comment period for the proposed rule published May 23, 2013 (78 FR 31315), is being extended by 15 days to July 23, 2013, in order to provide the public additional time to submit comments and supporting information.

**ADDRESSES:** *Comments.* Written comments on the proposed rule may be submitted to the EPA electronically, by mail, by facsimile or through hand delivery/courier. Please refer to the proposal (78 FR 31315) for the addresses and detailed instructions.

*Docket.* Publicly available documents relevant to this action are available for public inspection either electronically at <http://www.regulations.gov> or in hard copy at the EPA Docket Center, 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. A reasonable fee may be charged for copying. The EPA has established the official public docket No. EPA-HQ-OAR-2012-0640.

*World Wide Web.* The EPA Web site containing information for this rulemaking is: <http://www.epa.gov/ttn/atw/pulp/pulppg.html>.

**FOR FURTHER INFORMATION CONTACT:** Dr. Kelley Spence, Natural Resources Group (E143-03), Sector Policies and Programs Division, Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711; telephone number: (919) 541-3158; fax number: (919) 541-3470; and email address: [spence.kelley@epa.gov](mailto:spence.kelley@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Comment Period

In response to requests from industry representatives and environmental groups, the EPA is extending the public comment period for an additional 15 days. The public comment period will end on July 23, 2013, rather than July 8, 2013.

##### List of Subjects in 40 CFR Part 60

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

Dated: June 21, 2013.

**Gina McCarthy,**

*Assistant Administrator, Office of Air and Radiation.*

[FR Doc. 2013-15609 Filed 6-27-13; 8:45 am]

**BILLING CODE 6560-50-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### 49 CFR Part 272

[Docket No. FRA-2008-0131, Notice No. 1]

RIN 2130-AC00

#### Critical Incident Stress Plans

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Notice of Proposed Rulemaking (NPRM).

**SUMMARY:** FRA issues this proposed rule in accordance with a statutory mandate that the Secretary of Transportation require certain major railroads to develop, and submit to the Secretary for approval, critical incident stress plans that provide for appropriate support services to be offered to their employees who are affected by a "critical incident" as defined by the Secretary. The NPRM proposes a definition of the term "critical incident," the elements appropriate for the rail environment to be included in a railroad's critical incident stress plan, the type of employees to be covered by the plan, a requirement that a covered railroad submit its plan to FRA for approval, and a requirement that a railroad adopt and comply with its FRA-approved plan. **DATES:** Written comments must be received by August 27, 2013. Comments received after that date will be considered to the extent possible without incurring additional delay or expense.

FRA does not believe that a public, oral hearing will be necessary. However, if FRA receives a specific request for a public, oral hearing prior to July 29, 2013, FRA will schedule a hearing and publish a supplemental notice in the **Federal Register** to inform interested parties of the date, time, and location of any such hearing.

**ADDRESSES:** *Comments:* Comments related to Docket No. FRA-2008-0131, Notice No. 1, may be submitted by any of the following methods:

- *Web site:* The Federal eRulemaking Portal, [www.Regulations.gov](http://www.Regulations.gov). Follow the Web site's online instructions for submitting comments.
- *Fax:* 202-493-2251.
- *Mail:* Docket Management Facility, U.S. Department of Transportation, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- *Hand Delivery:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., Room W12-140 on the

Ground level of the West Building, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

*Instructions:* All submissions must include the agency name, docket name, and docket number or Regulatory Identification Number (RIN) for this rulemaking. Note that all comments received will be posted without change to <http://www.Regulations.gov>, including any personal information provided. Please see the discussion under the Privacy Act heading in the **SUPPLEMENTARY INFORMATION** section of this document.

*Docket:* For access to the docket to read background documents or comments received, go to <http://www.Regulations.gov> at any time or visit the Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., Room W12-140, on the Ground level of the West Building, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** For program issues: Dr. Bernard J. Arseneau, Medical Director, Office of Railroad Safety, FRA, 1200 New Jersey Avenue SE., Washington, DC 20590 (telephone: (202) 493-6232), [Bernard.Arseneau@dot.gov](mailto:Bernard.Arseneau@dot.gov); or Ronald Hynes, Director, Office of Safety Assurance and Compliance, Office of Railroad Safety, FRA, 1200 New Jersey Avenue SE., Washington, DC 20590 (telephone: (202) 493-6404), [Ronald.Hynes@dot.gov](mailto:Ronald.Hynes@dot.gov). For legal issues: Veronica Chittim, Trial Attorney, Office of Chief Counsel, FRA, 1200 New Jersey Avenue SE., Washington, DC 20590 (telephone: (202) 493-0273), [Veronica.Chittim@dot.gov](mailto:Veronica.Chittim@dot.gov).

#### SUPPLEMENTARY INFORMATION:

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