

- 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, 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 proposed rule, which satisfies certain infrastructure requirements of section 110(a)(2) of the CAA for the 2010 NO₂ NAAQS for the Commonwealth of Virginia, 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, Incorporation by reference, Nitrogen dioxide, Reporting and recordkeeping requirements.

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

Dated: July 19, 2013.

Shawn M. Garvin,

Regional Administrator, Region III.

[FR Doc. 2013-18705 Filed 8-2-13; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[EPA-HQ-SFUND-2000-0003; FRL-9842-8]

National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Deletion of the Imperial Refining Company Superfund Site

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule; notice of intent.

SUMMARY: The Environmental Protection Agency (EPA) Region 6 is issuing a Notice of Intent to Delete the Imperial Refining Co. Superfund Site (Site) located in Ardmore, Oklahoma, from the National Priorities List (NPL) and requests public comments on this proposed action. The NPL, promulgated pursuant to section 105 of the

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended, is an appendix of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). The EPA and the State of Oklahoma, through the Oklahoma Department of Environmental Quality, have determined that all appropriate response actions under CERCLA, other than operation, maintenance, and five-year reviews, have been completed. However, this deletion does not preclude future actions under Superfund.

DATES: Comments must be received by September 4, 2013.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-HQ-SFUND-2000-0003, by one of the following methods:

- <http://www.regulations.gov>. Follow on-line instructions for submitting comments.

- *Email:* mueller.brian@epa.gov.

- *Fax:* 214-665-6660.

- *Mail:* Brian W. Mueller; U.S.

Environmental Protection Agency, Region 6; Superfund Division (6SF-RA); 1445 Ross Avenue, Suite 1200; Dallas, Texas 75202-7167.

- *Hand delivery:* U.S. Environmental Protection Agency, Region 6; 1445 Ross Avenue, Suite 700; Dallas, Texas 75202-2733; Contact: Brian W. Mueller (214) 665-7167. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to Docket ID No. EPA-HQ-SFUND-2000-0003. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes 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 EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through <http://www.regulations.gov>, your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you

submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. 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: 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. Certain other material, such as copyrighted material, will be publicly available only in the hard copy. Publicly available docket materials are available either electronically in <http://www.regulations.gov> or in hard copy at:

U.S. Environmental Protection Agency, Region 6; 1445 Ross Avenue, Suite 700; Dallas, Texas 75202-2733. *Hours of operation:* Monday through Friday, 9:00 a.m. to 12:00 p.m. and 1:00 p.m. to 4:00 p.m. *Contact:* Brian W. Mueller (214) 665-7167.

Ardmore Public Library; 320 E Street NW.; Ardmore, Oklahoma 73401.

Hours of Operation: Monday through Thursday 10:00 a.m. until 8:30 p.m.; Friday through Saturday, 10:00 a.m. until 4:00 p.m.; Sunday 1:00 p.m. until 5:00 p.m.

Oklahoma Department of Environmental Quality; 707 N Robinson, 2nd floor, Oklahoma City, Oklahoma 73102.

Hours of operation: Monday through Friday 8:00 a.m. until 4:30 p.m.

FOR FURTHER INFORMATION CONTACT:

Brian W. Mueller, Remedial Project Manager; U.S. Environmental Protection Agency, Region 6; Superfund Division (6SF-R); 1445 Ross Avenue, Suite 1200; Dallas, Texas 75202-2733, (214) 665-7167, email: mueller.brian@epa.gov.

SUPPLEMENTARY INFORMATION: In the "Rules and Regulations" Section of today's **Federal Register**, we are publishing a direct final Notice of Deletion of Imperial Refining Co. Superfund Site without prior Notice of Intent to Delete because we view this as a noncontroversial revision and anticipate no adverse comment. We have explained our reasons for this deletion in the preamble to the direct final Notice of Deletion, and those reasons are incorporated herein. If we receive no adverse comment(s) on this deletion action, we will not take further action on this Notice of Intent to Delete.

If we receive adverse comment(s), we will withdraw the direct final Notice of Deletion, and it will not take effect. We will, as appropriate, address all public comments in a subsequent final Notice of Deletion based on this Notice of Intent to Delete. We will not institute a second comment period on this Notice of Intent to Delete. Any parties interested in commenting must do so at this time.

For additional information, see the direct final Notice of Deletion which is located in the *Rules* section of this **Federal Register**.

List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous waste, Hazardous substances, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Authority: 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601–9657; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; E.O. 12580, 52 FR 2923; 3 CFR, 1987 Comp., p. 193.

Dated: July 25, 2013.

Ron Curry,

Regional Administrator, Region 6.

[FR Doc. 2013–18855 Filed 8–2–13; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

[Docket No. FWS–R2–ES–2013–0098; FXES1113090000C2–134–FF09E32000]

RIN 1018–AY46

Endangered and Threatened Wildlife and Plants; Notice of Intent To Prepare an Environmental Impact Statement for the Proposed Revision to the Nonessential Experimental Population of the Mexican Wolf (*Canis lupus baileyi*)

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule; notice of intent to prepare an environmental impact statement.

SUMMARY: We, the U.S. Fish and Wildlife Service, will prepare a draft environmental impact statement pursuant to the National Environmental Policy Act of 1969, as amended, in conjunction with a proposed rule to revise the existing nonessential experimental population designation of the Mexican wolf (*Canis lupus baileyi*)

under section 10(j) of the Endangered Species Act of 1973, as amended.

DATES: We will accept comments received or postmarked on or before September 19, 2013. Comments submitted electronically using the Federal eRulemaking Portal (see **ADDRESSES**) must be received by 11:59 p.m. Eastern Time on the closing date.

ADDRESSES: You may submit written comments by one of the following methods:

(1) *Electronically:* Go to the Federal eRulemaking Portal: <http://www.regulations.gov>. Search for FWS–R2–ES–2013–0098, which is the docket number for this notice. You may submit a comment by clicking on “Comment Now!”

(2) *By hard copy:* Submit by U.S. mail or hand-delivery to: Public Comments Processing, Attn: FWS–R2–ES–2013–0098; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N Fairfax Drive, MS 2042–PDM; Arlington, VA 22203.

We request that you send comments only by the methods described above. We will post all comments on <http://www.regulations.gov>. This generally means that we will post any personal information you provide us (see the Information Requested section below for more information). To increase our efficiency in downloading comments, groups providing mass submissions should submit their comments in an Excel file.

FOR FURTHER INFORMATION CONTACT: Mexican Wolf Recovery Program, U.S. Fish and Wildlife Service, New Mexico Ecological Services Field Office, 2105 Osuna Road, NE., Albuquerque, NM 87113 or by telephone 505–761–4704. If you use a telecommunications device for the deaf (TDD), call the Federal Information Relay Service (FIRS) at 800–877–8339. Additional information can be viewed on the Mexican Gray Wolf Recovery Program’s Web site at <http://www.fws.gov/southwest/es/mexicanwolf/index.cfm>.

SUPPLEMENTARY INFORMATION:

Previous Federal Actions

We established a nonessential experimental population of Mexican wolves in 1998 (63 FR 1752, January 12, 1998) pursuant to section 10(j) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

On August 7, 2007, we published a notice of intent in the **Federal Register** (72 FR 44065) to initiate the planning process for preparation of an environmental impact statement (EIS), pursuant to the National Environmental Policy Act (NEPA 42 U.S.C. 4321 *et*

seq.), to modify our Mexican wolf nonessential experimental population designation (63 FR 1752, January 12, 1998). We held 12 public informational sessions in the communities and on the dates listed in our scoping report, which is available at <http://www.fws.gov/southwest/es/mexicanwolf/documents.cfm> and at <http://www.regulations.gov> at Docket No. FWS–R2–ES–2013–0098.

On June 13, 2013, we published a proposed rule to revise our existing Mexican wolf nonessential experimental population designation (78 FR 35719).

Background

The proposed rule (78 FR 35719, June 12, 2013), together with the proposed implementation of a soon-to-be-released management plan for Mexican wolves in areas of Arizona and New Mexico that are outside of the experimental population area, form the basis of the proposed action of our EIS. The EIS will consider reasonable alternatives for revisions to the geographic boundaries and management regulations of the current Mexican wolf nonessential experimental population (63 FR 1752, January 12, 1998), and the implementation of a management plan for the Mexican wolf in those portions of Arizona and New Mexico external to the Mexican Wolf Experimental Population Area (MWEPA). The EIS will analyze the environmental consequences of a range of alternatives to the proposed action that include: revisions to the geographic boundaries of the MWEPA and Blue Range Wolf Recovery Area (BRWRA), modifications to the regulations for management of the nonessential experimental population of Mexican wolves, and implementation of a management plan for Mexican wolves in areas of Arizona and New Mexico external to the MWEPA.

The Service will act as the Lead Federal Agency responsible for completion of the EIS (40 CFR 1508.16). We are requesting those Federal and State agencies, local governments, and Tribes that may have jurisdiction by law or special expertise to serve as cooperating agencies in the development of the EIS (40 CFR 1501.6 and 1508.5, 1508.15, 1508.26).

We are continuing the scoping process for this EIS that we began in 2007. We will use the comments received during the 2007 public scoping, as well as comments received during this scoping period, in the preparation of our draft EIS.

Information Requested

We are currently seeking comments or suggestions from the public,