

Information request. Written requests are to be sent to the Division of Freedom of Information (ELEM-1029), Food and Drug Administration, 12420 Parklawn Dr., Element Bldg., Rockville, MD 20857. Additionally, FDA will be video recording the public meeting. Once the recorded video is available, it will be accessible at FDA's FSMA Web site at <http://www.fda.gov/Food/GuidanceRegulation/FSMA/default.htm>.

Dated: August 13, 2013.

Leslie Kux,

Assistant Commissioner for Policy.

[FR Doc. 2013-19961 Filed 8-15-13; 8:45 am]

BILLING CODE 4160-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 172

[Docket No. FDA-2013-N-0888]

Dean Foods Company and WhiteWave Foods Company; Filing of Food Additive Petition

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of petition.

SUMMARY: The Food and Drug Administration (FDA or we) is announcing that we have filed a petition submitted by the Dean Foods Company and the WhiteWave Foods Company proposing that the food additive regulations be amended to provide for the expanded safe uses of vitamin D₂ and vitamin D₃ as nutrient supplements in food.

DATES: The food additive petition was filed on June 27, 2013.

FOR FURTHER INFORMATION CONTACT:

Judith Kidwell, Center for Food Safety and Applied Nutrition (HFS-265), Food and Drug Administration, 5100 Paint Branch Pkwy., College Park, MD 20740-3835, 240-402-1071.

SUPPLEMENTARY INFORMATION: Under section 409(b)(5) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 348(b)(5)), we are giving notice that we have filed a food additive petition (FAP 3A4801), submitted by the Dean Foods Company and the WhiteWave Foods Company, c/o Hogan Lovells US LLP, Columbia Square, 555 Thirteenth Street NW., Washington, DC 20004. The petition proposes to amend 21 CFR 172.379 to provide for the safe use of vitamin D₂ as a nutrient supplement in edible plant-based food products intended for use as alternatives to milk and milk products and to amend 21 CFR

172.380 to provide for the safe use of vitamin D₃ as a nutrient supplement in milk at levels higher than those currently permitted.

We have determined under 21 CFR 25.32(k) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

Dated: August 12, 2013.

Dennis M. Keefe,

Director, Office of Food Additive Safety, Center for Food Safety and Applied Nutrition.

[FR Doc. 2013-19915 Filed 8-15-13; 8:45 am]

BILLING CODE 4160-01-P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

25 CFR Part 151

[K00103 12/13 A3A10; 134D0102DR-DS5A300000-DR.5A311.IA000113; Docket ID: BIA-2013-0005]

RIN 1076-AF15

Land Acquisitions: Appeals of Land Acquisition Decisions

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Proposed rule; Reopening of comment period.

SUMMARY: In May, the Bureau of Indian Affairs (BIA) published a proposed rule revising a section of regulations governing decisions by the Secretary to approve or deny applications to acquire land in trust. The public comment period for that rule closed in July. This notice reopens the comment period for 15 days.

DATES: Comments on the proposed rule published May 29, 2013 (78 FR 32214) must be received by September 3, 2013.

ADDRESSES: You may submit comments by any of the following methods, though the Federal rulemaking portal or email are the preferred methods:

—*Federal rulemaking portal:* <http://www.regulations.gov>. The rule is listed under the agency name “Bureau of Indian Affairs.” The rule has been assigned Docket ID: BIA-2013-0005.

—*Email:* consultation@bia.gov. Include the number 1076-AF15 in the subject line of the message.

—*Mail or hand delivery:* Elizabeth Appel, Office of Regulatory Affairs & Collaborative Action, U.S. Department of the Interior, 1849 C Street NW., MS-4141, Washington, DC 20240.

Include the number 1076-AF15 in the submission.

We cannot ensure that comments received after the close of the comment period (see **DATES**) will be included in the docket for this rulemaking and considered. Comments sent to an address other than those listed above will not be included in the docket for this rulemaking.

FOR FURTHER INFORMATION CONTACT:

Elizabeth Appel, Office of Regulatory Affairs & Collaborative Action, (202) 273-4680; elizabeth.appel@bia.gov.

SUPPLEMENTARY INFORMATION:

On May 29, 2013, BIA published a proposed rule revising 25 CFR 151.12 (78 FR 32214). The proposed rule would remove procedural requirements that are no longer necessary in light of the *Patchak* Supreme Court decision and increase transparency by better articulating the process for issuing decisions to acquire land in trust under 25 CFR part 151. The comment period for the proposed rule closed July 29, 2013. With this notice, BIA is reopening the comment period for an additional 15 days, in response to requests it received from commenters for additional time.

BIA will also consider any comments that it received between the close of the original comment period on July 29, 2013 and the reopening of the comment period on August 16, 2013. If you submitted comments during this period, there is no need to resubmit them.

Dated: August 9, 2013.

Kevin K. Washburn,

Assistant Secretary—Indian Affairs.

[FR Doc. 2013-19947 Filed 8-15-13; 8:45 am]

BILLING CODE 4310-6W-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R04-OAR-2013-0455; FRL-9900-12-Region 4]

Approval and Promulgation of Implementation Plans; Tennessee; Revisions to the Knox County Portion of the Tennessee State Implementation Plan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve a revision to the Knox County portion of the Tennessee State Implementation Plan (SIP), submitted by the State of Tennessee, through the Tennessee Department of Environment and Conservation (TDEC) on December 13,

2012. The SIP submittal revises the definition of “Modification” in Knox County Air Quality Management Regulation Section 13 *Definitions*. TDEC considers Knox County’s SIP revision to be as or more stringent than the Tennessee SIP requirements. EPA is approving the Knox County SIP revision because the State has demonstrated that it is consistent with the Clean Air Act (CAA or Act).

DATES: Written comments must be received on or before September 16, 2013.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R04–OAR–2013–0455, by one of the following methods:

1. *www.regulations.gov*: Follow the on-line instructions for submitting comments.

2. *Email*: R4–RDS@epa.gov.

3. *Fax*: (404) 562–9019.

4. *Mail*: “EPA–R04–OAR–2013–0455,” Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303–8960.

5. *Hand Delivery or Courier*: Lynorae Benjamin, Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303–8960. Such deliveries are only accepted during the Regional Office’s normal hours of operation. The Regional Office’s official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding Federal holidays.

Instructions: Direct your comments to Docket ID No. EPA–R04–OAR–2013–0455. EPA’s policy is that all comments received will be included in the public docket without change and may be made available online at *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 through *www.regulations.gov* or email, information that you consider to be CBI or otherwise protected. The *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 *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. 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 electronic docket are listed in the *www.regulations.gov* index. Although listed in the index, some information is not publicly available, i.e., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically in *www.regulations.gov* or in hard copy at the Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303–8960. EPA requests that if at all possible, you contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office’s official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding Federal holidays.

FOR FURTHER INFORMATION CONTACT: Sean Lakeman, Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303–8960. The telephone number is (404) 562–9043. Mr. Lakeman can be reached via electronic mail at lakeman.sean@epa.gov.

SUPPLEMENTARY INFORMATION:

- I. Analysis of Knox County’s Submittals
- II. Proposed Action
- III. Statutory and Executive Order Reviews

I. Analysis of Knox County’s Submittals

On December 13, 2012, TDEC submitted a SIP revision to EPA for approval into the Knox County portion of the Tennessee SIP. Specifically, the December 13, 2012, SIP revises the

definition of “Modification” in Knox County Regulation, section 13.0—*Definitions*. The additions of subparagraphs E and F to the definition of “Modification” allows the local permit program authority to provide adequate, streamlined, and reasonable procedures for expeditiously processing permit changes by excluding certain modifications from construction permitting. The addition of subparagraph E provides that certain modifications (physical/method of operation) at major sources that are not considered Title I modifications do not require construction permits. Specifically, modifications at such sources that qualify: (1) As Title V operational flexibility changes (CAA section 502(b)(10)); (2) as minor permit modifications; or (3) for group processing of minor modifications will not require construction permits. See 40 CFR 70.7 for more detailed information on permit modifications.

The addition at subparagraph F establishes criteria for which a physical change or change in the method of operation for a minor source does not need a construction permit. These criteria include: (1) The change is not subject to the requirements of the Knox County Title V program (at section 25.70), Prevention of Significant Deterioration (PSD) at Section 45.0 and new source review (NSR) permitting regulations at Section 41.0¹; (2) the emissions from the modification does not exceed the allowable emissions established in an existing permit; or (3) the change does not result in emissions from a new contaminant or pollutant.

II. Proposed Action

EPA is proposing to approve the aforementioned change to Knox County portion of the Tennessee SIP, because it is consistent with EPA policy and the CAA.

III. Statutory and Executive Order Reviews

Under the CAA, 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 CAA. Accordingly, this action

¹ EPA notes that the language at subparagraph F that states “The change is not subject to requirements of a Title V Operating Permit (Section 25.70), a New Source Review Permit (Section 41.0), or a Prevention of Significant Deterioration Permit (Section 45.0);” refers to the actual Knox County title V, PSD and NSR permitting regulations and not to an actual permit, as clarified in an email from Knox County on June 7, 2013.

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 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 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 proposal 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, Particulate matter, Reporting and recordkeeping requirements and Sulfur oxides.

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

Dated: August 7, 2013.

Beverly H. Banister,

Acting Regional Administrator, Region 4.

[FR Doc. 2013–20022 Filed 8–15–13; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2013–0394; FRL–9845–4]

Revisions to the California State Implementation Plan, Antelope Valley Air Quality Management District and Ventura County Air Pollution Control District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve revisions to the Antelope Valley Air Quality Management District (AVAQMD) and Ventura County Air Pollution Control District (VCAPCD) portions of the California State Implementation Plan (SIP). These revisions concern sulfur oxide emissions from lead smelters and volatile organic compounds (VOC) emissions from the data storage and vacuum producing device industries. We are proposing to rescind local rules that regulate emission sources under the Clean Air Act as amended in 1990 (CAA or the Act).

DATES: Any comments must arrive by September 16, 2013.

ADDRESSES: Submit comments, identified by docket number EPA–R09–OAR–2013–0394 by one of the following methods:

1. *Federal eRulemaking Portal:* www.regulations.gov. Follow the on-line instructions.
2. *Email:* 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, 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 or email. 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. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

Docket: Generally, documents in the docket for this action are available electronically at 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, 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: Robert Marinaro, EPA Region IX, (415) 972–3019, marinaro.robert@epa.gov.

SUPPLEMENTARY INFORMATION: This proposal addresses the following local rules: AVAQMD Rule 1101, “Secondary Lead Smelters/Sulfur Oxides;” VCAPCD Rule 37, “Project XL;” and VCAPCD Rule 67, “Vacuum Producing Devices.” In the Rules and Regulations section of this **Federal Register**, we are approving rescission of these local rules in a direct final action without prior proposal because we believe these SIP revisions are not controversial. If we receive adverse comments, however, we will publish a timely withdrawal of the direct final rule and address the comments in subsequent action based on this proposed rule. Please note that if we receive adverse comments on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, we may adopt as final those provisions of the rule that are not the subject of an adverse comment.

We do not plan to open a second comment period, so anyone interested in commenting should do so at this time. If we do not receive adverse comments, no further activity is planned. For further information please see the direct final action.