

in accordance with current requirements, to improve readability, to establish consistency in the rules, and to conform to standards in the "Texas Legislative Council Drafting Manual," dated September 2008.

*B. What is Texas' approach and analysis for RACT for HGB and DFW for this CTG source category, and do the revisions meet RACT requirements?*

Under CAA sections 182(b)(2)(A) and (B), states must insure RACT is in place for each source category for which EPA issued a CTG. As a part of a June 13, 2007 submittal TCEQ conducted a RACT analysis to demonstrate that the RACT requirements for CTG sources in the HGB 8-hour ozone nonattainment Area have been fulfilled. The TCEQ conducted its analyses by: (1) Identifying all categories of CTG and major non-CTG sources of VOC and NO<sub>x</sub> emissions within the HGB Area; (2) Listing the state regulation that implements or exceeds RACT requirements for that CTG or non-CTG category; (3) Detailing the basis for concluding that these regulations fulfill RACT through comparison with established RACT requirements described in the CTG guidance documents and rules developed by other state and local agencies; and (4) Submitting negative declarations when there are no CTG or major Non-CTG sources of VOC emissions within the HGB Area. The TCEQ revised its rules for Offset lithographic printers and supplemented its 2007 analysis in its April 6, 2010 submittals in response, in part, to EPA's issuance of the CTG for Offset Lithographic printing.

We have reviewed these revisions to Chapter 115 for Offset Lithographic Printing and have determined that they are in agreement with EPA's CTG documents listed in Table 1 above. See our TSD prepared in conjunction with this document. Because these revisions are in agreement with our CTG, we are proposing that they satisfy RACT requirements, and by implementing these measures Texas is meeting the VOC RACT requirements for this source category in the HGB and DFW 1997 8-hour ozone nonattainment Areas. In addition, in its April 6, 2010, submittals to EPA for HGB and DFW, TCEQ states that it has reviewed the HGB and DFW VOC rules for Offset Lithographic Printing and certifies that they satisfy RACT requirements for the 1997 8-hour ozone standard by the application of control technology that is reasonably available considering technological and economic feasibility. We are proposing to approve these determinations that Texas VOC rules for Offset Lithographic

Printing sources are in agreement with the CAA's RACT requirements and as a result the Texas SIP satisfies the RACT requirements for this CTG source category in the HGB and DFW Areas under the 1997 8-hour ozone standard.

### III. Proposed Action

We are proposing to approve Texas' 2010 rule revisions for the VOC CTG source category identified in Table 1, Offset Lithographic Printing. In addition, we are proposing to find that for this CTG category Texas has RACT-level controls in place for the HGB and DFW Areas under the 1997 8-hour ozone standard.

### IV. 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. If a portion of the plan revision meets all the applicable requirements of this chapter and Federal regulations, the Administrator may approve the plan revision in part. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve state choices that meet the criteria of the Act, and to disapprove state choices that do not meet the criteria of the Act. Accordingly, this proposed action 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;
- 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); and
- this rule 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.

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

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

Environmental protection, Air pollution control, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: February 25, 2014.

**Ron Curry,**

*Regional Administrator, Region 6.*

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R06-OAR-2013-0542; FRL-9907-86-Region 6]

### Extension of Public Comment Period for Proposed Action; Texas; Revisions to the New Source Review State Implementation Plan; Flexible Permit Program

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

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

**SUMMARY:** On February 12, 2014, the Environmental Protection Agency (EPA) published in the **Federal Register** a proposed rule to conditionally approve the Texas New Source Review (NSR) State Implementation Plan (SIP) for establishing the Flexible Permit Program and requested comments by March 14, 2014. EPA is extending the original public comment period of 30 days for the proposed rule until April 4, 2014.

**DATES:** Comments must be received on or before April 4, 2014.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R06-OAR-2013-0542, by one of the following methods:

- <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- Email: Ms. Stephanie Kordzi at [kordzi.stephanie@epa.gov](mailto:kordzi.stephanie@epa.gov).
- Mail or delivery: Ms. Stephanie Kordzi, Air Permits Section (6PD-R), Environmental Protection Agency, 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202-2733.

**Instructions:** Direct your comments to Docket ID No. EPA-R06-OAR-2013-0542. 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 the disclosure of which is restricted by statute. Do not submit information through <http://www.regulations.gov> or email, if you believe that it is CBI or otherwise protected from disclosure. The <http://www.regulations.gov> Web site is an "anonymous access" system, which means that 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 along with any disk or CD-ROM submitted. 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 and any form of encryption and should 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:** The index to the docket for this action is available electronically at [www.regulations.gov](http://www.regulations.gov) and in hard copy at EPA Region 6, 1445 Ross Avenue, Suite 700, Dallas, Texas. While all documents in the docket are listed in the index, some information may be

publicly available only at the hard copy location (e.g., copyrighted material), and some may not be publicly available at either location (e.g., CBI). To inspect the hard copy materials, please schedule an appointment with the person listed in the **FOR FURTHER INFORMATION CONTACT** paragraph below or Mr. Bill Deese at 214-665-7253.

**FOR FURTHER INFORMATION CONTACT:** Ms. Stephanie Kordzi (6PD-R), Air Permits Section, Environmental Protection Agency, Region 6, 1445 Ross Ave (6PD-R), Suite 1200, Dallas, TX 75202-2733. Telephone (214) 665-7520, email at [kordzi.stephanie@epa.gov](mailto:kordzi.stephanie@epa.gov).

**SUPPLEMENTARY INFORMATION:**

Throughout this document whenever "we," "us," or "our" is used, we mean the EPA. On February 12, 2014, we published in the **Federal Register** a proposed rule on the flexible permit program in Texas. In the proposal, we requested comment by March 14, 2014. We received a request from the Environmental Integrity Project on February 27, 2014, to extend the comment period to a total of 90 days from the original 30 day public comment period. After careful analysis, we decided to extend the comment period out an additional 21 days. The extension length was based on providing commenters an additional 17 days following the Texas Commission on Environmental Quality (TCEQ) public hearing scheduled for March 18, 2014. This extension will provide an opportunity for submission of rebuttal and supplementary information until April 4, 2014.

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

Environmental protection, Air pollution control, Carbon monoxide, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds and incorporation by reference.

Dated: March 5, 2014.

**Wren Stenger,**

*Multimedia Planning and Permitting Division  
Director Region 6.*

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 300**

[EPA-HQ-SFUND-1983-0002; FRL-9907-65-Region 1]

**National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Deletion of the O'Connor Superfund Site**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Proposed rule; notice of intent.

**SUMMARY:** The Environmental Protection Agency (EPA) Region 1 is issuing a Notice of Intent to Delete the O'Connor Superfund Site (Site) located in Augusta, Maine, 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 Maine, through the Maine Department of Environmental Protection, 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 April 11, 2014.

**ADDRESSES:** Submit your comments, identified by Docket ID no. EPA-HQ-SFUND-1983-0002, by one of the following methods:

- <http://www.regulations.gov>. Follow on-line instructions for submitting comments.
- Email: [connelly.terry@epa.gov](mailto:connelly.terry@epa.gov).
- Fax: 617 918-0373.
- Mail: Terrence Connelly, US EPA Region 1, Mailcode OSRR07-1, 5 Post Office Square, Suite 100, Boston, MA 02109-3919.
- Hand delivery: US EPA Region 1, 5 Post Office Square, Suite 100, Boston, MA 02109-3912. 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-1983-0002. 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