

existing exemption from the land disposal restrictions of hazardous waste to include the newly-drilled WAL #3 well in July, 2013. EPA staff reviewed all data pertaining to the petition, including, but not limited to, well construction, well operations, regional and local geology, seismic activity, penetrations of the confining zone, and computational models of the injection zone. EPA has determined that the hydrogeological and geochemical conditions at the site and the nature of the waste streams are such that reliable predictions can be made that fluid movement conditions are such that injected fluids will not migrate out of the injection zone within 10,000 years, as set forth at 40 CFR part 148. The injection zone for the AMBH facility is composed of the lower Eau Claire Formation, the Mount Simon Sandstone and the upper portion of the Precambrian rocks, between 2170 and 4286 feet below the surface. The confining zone at the AMBH facility is the upper Eau Claire Formation, which is found between 1936 and 2170 feet. The confining zone is separated from the lowermost underground source of drinking water (at a depth of 726 feet below ground level) by a sequence of permeable and less permeable sedimentary rocks. This sequence provides additional protection from fluid migration into drinking water sources.

EPA issued a draft decision, which described the reasons for granting this exemption in more detail, a fact sheet, which summarized these reasons, and a public notice on November 14, 2014, pursuant to 40 CFR 124.10. The public comment period ended on December 16, 2014. EPA received no comments but during the comment period, EPA realized that the volume limitation identified in section I.B was inadvertently shown as gallons per month instead of gallons per year. The same mistake was made in Condition #8. Therefore, EPA is issuing the final exemption with this condition corrected to be consistent with the language in the AMBH UIC permits.

#### Conditions

This exemption is subject to the following conditions. Non-compliance with any of these conditions is grounds for termination of the exemption:

(1) All regulatory requirements in 40 CFR 148.23 and 148.24 are incorporated by reference;

(2) The exemption applies to the existing injection wells, Spent Pickle Liquor #1, Waste Ammonia Liquor #1, Waste Ammonia Liquor #2, and Waste Ammonia Liquor #3, located at the

ArcelorMittal facility at 250 West U.S. Highway 12, Burns Harbor, Indiana;

(3) Injection is limited to that part of the Lower Mount Simon Sandstone and the upper portion of the Precambrian rocks at depths between 2722 and 4286 feet below ground level;

(4) Hazardous wastes denoted by the waste codes D010, D018, and D038 may only be injected into Waste Ammonia Liquor #1, Waste Ammonia Liquor #2, and Waste Ammonia Liquor #3.

Hazardous waste denoted by waste code K062 may only be injected into Spent Pickle Liquor #1. Other fluids necessary for well testing, stimulation, etc. may be injected when approved by EPA;

(5) The chemical properties of the injectate that will be monitored are limited according to the table below:

Chemical constituent or property	Concentration limitation at the well head (mg/L)
Benzene .....	220 (maximum).
pH .....	Minimum pH is zero.
Chromium .....	133 (maximum).
Naphthalene .....	260 (maximum).
Nickel .....	50 (maximum).
Phenol .....	3780 (maximum).
Pyridine .....	116 (maximum).
Selenium .....	5 (maximum).

(6) The annual average of the specific gravity of the injected spent pickle liquor must be no greater than 1.31; the annual average of the specific gravity of the waste ammonia liquor must be no less than 0.99;

(7) The chemical properties of the injectate that defined the edge of the plume in the demonstration are benzene for waste ammonia liquor and pH for the spent pickle liquor;

(8) The monthly average injection rate for SPL must not exceed 175 gallons per minute and the monthly average injection rate for WAL must not exceed 300 gallons per minute, plant-wide, cumulatively covering all WAL injection wells.

(9) This exemption is approved for the 21-year modeled injection period, which ends on December 31, 2027. ArcelorMittal may petition EPA for a reissuance of the exemption beyond that date, provided that a new and complete no-migration petition is received at EPA, Region 5, by July 1, 2027;

(10) ArcelorMittal shall submit monthly reports to EPA containing a fluid analysis of the injected waste which shall indicate the chemical and physical properties upon which the no-migration demonstration was based, including the physical and chemical properties listed in Conditions 5 and 6 of this exemption approval;

(11) ArcelorMittal shall submit an annual report containing the results of

a bottom hole pressure survey (fall-off test) performed on Spent Pickle Liquor #1, Waste Ammonia Liquor #1, Waste Ammonia Liquor #2, or Waste Ammonia Liquor #3 to EPA. The survey shall be performed after shutting in the well for a period of time sufficient to allow the pressure in the injection interval to reach equilibrium, in accordance with 40 CFR 146.68(e)(1). The annual report shall include a comparison of reservoir parameters determined from the fall-off test with parameters used in the approved no-migration demonstration;

(12) The petitioner shall fully comply with all requirements set forth in Underground Injection Control Permits IN-127-1W-0001, IN-127-1W-0003, IN-127-1W-0004, and IN-127-1W-0007 issued by the U.S. Environmental Protection Agency; and

(13) Whenever EPA determines that the basis for approval of a petition may no longer be valid, EPA may terminate this exemption and may require a new demonstration in accordance with 40 CFR 148.20.

*Electronic Access.* You may access this **Federal Register** document electronically from the Government Publishing Office under the "**Federal Register**" listings at FDSys (<http://www.gpo.gov/fdsys/browse/collection.action?collectionCode=FR>).

Dated: February 18, 2015.

**Timothy C. Henry,**

*Acting Director, Water Division.*

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPPT-2015-0047; FRL-9922-69]

### Implementation of a New Label for the Design for the Environment (DfE) Safer Product Labeling Program and Supporting Modifications to the DfE Standard for Safer Products; Notice of Availability

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

**ACTION:** Notice of availability.

**SUMMARY:** EPA is making available a document that announces and implements several important changes to EPA's Safer Product Labeling Program (SPLP), as well as a number of conforming changes to the program's Standard for Safer Products, including: New label designs and a new name for the EPA SPLP; an associated fragrance-free label; and related changes to the standard that qualifies products for the label.

**DATES:** Comments must be received on or before May 5, 2015.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPPT-2015-0047, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

- *Mail:* Document Control Office (7407M), Office of Pollution Prevention and Toxics (OPPT), Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001.

- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at <http://www.epa.gov/dockets/contacts.html>.

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at <http://www.epa.gov/dockets>.

**FOR FURTHER INFORMATION CONTACT:**

*For technical information contact:* David DiFiore, Chemistry, Economics and Sustainable Strategies Division, Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001; telephone number: 202-564-8796; email address: [difiore.david@epa.gov](mailto:difiore.david@epa.gov).

*For general information contact:* The TSCA-Hotline, ABVI-Goodwill, 422 South Clinton Ave., Rochester, NY 14620; telephone number: (202) 554-1404; email address: [TSCA-Hotline@epa.gov](mailto:TSCA-Hotline@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. General Information**

*A. Does this action apply to me?*

You may be affected by this action if you participate in or applying for certification under the DfE Safer Product Labeling Program and use or hope to use the program's logo on your products. Also potentially affected are consumers, institutional purchasers, retailers, and distributors of DfE-labeled products who use the logo to identify products that have met the Agency's safer-product criteria. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Manufacturing (NAICS codes 31-33).
- Construction (NAICS code 23).
- Wholesale trade (NAICS code 42).
- Retail trade (NAICS codes 44-45).
- Professional, scientific and technical services (NAICS code 54).
- Accommodations and food Services (NAICS code 72).
- Other services, except public administration (NAICS code 81).
- Public administration (NAICS code 92).

*B. What should I consider as I prepare my comments for EPA?*

1. *Submitting CBI.* Do not submit this information to EPA through [regulations.gov](http://regulations.gov) or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD-ROM that you mail to EPA, mark the outside of the disk or CD-ROM as CBI and then identify electronically within the disk or CD-ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When preparing and submitting your comments, see the commenting tips at <http://www.epa.gov/dockets/comments.html>.

**II. What action is the Agency taking?**

EPA is issuing a document, "Changes to the Standard to Implement the Safer Choice Label" (<https://wcms.epa.gov/sites/production/files/2015-02/documents/safer-choice-standard-changes.pdf>), that implements a new label and name for the DfE Safer Product Labeling Program, namely, the EPA "Safer Choice" Program. The new label is available for immediate use to program partners. The Agency is also making new-label-related changes to the program's standard that qualifies products for participation in the program. Finally, EPA is issuing a new, optional fragrance-free certification. The program has redesigned its label for several reasons: To better communicate the program's human health and environmental protection goals, increase consumer and institutional/industrial purchaser understanding and recognition of products bearing the label, and encourage innovation and the development of safer chemicals and chemical-based products. While

effective immediately, the Agency is requesting comment on the changes that are described in the referenced document (EPA-HQ-OPPT-2015-0047), including the fragrance-free certification, and may make further programmatic changes based on the comments received. Please note that the Agency has received extensive public input on the logo designs and is not requesting further comment on them.

**Authority:** 15 U.S.C. 2601 *et seq.*

Dated: February 11, 2015.

**Wendy C. Hamnett,**

*Director, Office of Pollution Prevention and Toxics.*

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**ENVIRONMENTAL PROTECTION AGENCY**

[ER-FRL-9019-8]

**Environmental Impact Statements; Notice of Availability**

**AGENCY:** Environmental Protection Agency.

Weekly receipt of Environmental Impact Statements  
Filed 02/23/2015 through 02/27/2015  
Pursuant to 40 CFR 1506.9.

**Notice**

Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EISs are available at: <http://www.epa.gov/compliance/nepa/eisdata.html>.

*Responsible Agency:* Office of Federal Activities, General Information (202) 564-7146 or <http://www.epa.gov/compliance/nepa/>.

*EIS No. 20150047*, Final EIS, USFS, CA, Heavenly Epic Discovery Project, Review Period Ends: 04/13/2015, Contact: Matt Dickinson, 530-543-2769.

*EIS No. 20150048*, Final EIS, USFS, CO, Middle Bald Mountain Area Communication Site, Review Period Ends: 04/06/2015, Contact: Carol Kruse, 970-295-6663.

*EIS No. 20150049*, Draft Supplement, NRCS, MS, Long Beach Watershed, Comment Period Ends: 04/20/2015, Contact: Kurt Readus, 601-965-5205.

*EIS No. 20150050*, Final EIS, USA, CA, The Modernization and Repair of Piers 2 and 3 at Military Ocean Terminal Concord, Review Period Ends: 04/06/2015, Contact: Sarah Garner, 618-220-6284.

*EIS No. 20150051*, Draft EIS, BLM, CA, West Mojave Planning Area, Draft