ENVIRONMENTAL PROTECTION AGENCY
FRL–9936–18—Region 6

Clean Air Act Operating Permit Program; Petition for Objection to State Operating Permits for Shell Chemical LP Deer Park Chemical Plant and Shell Oil Company Deer Park Refinery in Texas

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of final action.

SUMMARY: Pursuant to Clean Air Act (CAA) Section 505(b)(2) and 40 CFR 70.8(d), the EPA Administrator signed an Order, dated September 24, 2015, granting in part and denying in part two petitions asking EPA to object to operating permits issued by the Texas Commission on Environmental Quality for Shell Chemical LP’s Deer Park Chemical Plant and Shell Oil Company’s Deer Park Refinery (Title V operating permit numbers O1668 and O1669). The EPA’s September 24, 2015 Order responds to the two petitions, dated May 19, 2014, submitted by the Environmental Integrity Project (EIP), dated May 19, 2014, submitted by the Environmental Integrity Project (EIP), Sierra Club, and Air Alliance Houston. Sections 307(b) and 505(b)(2) of the CAA provide that a petitioner may ask for judicial review by the United States Court of Appeals for the appropriate circuit of those portions of the Order that deny issues raised in the petition. Any petition for review shall be filed within 60 days from the date this notice appears in the Federal Register, pursuant to section 307(b) of the CAA.

ADDRESSES: You may review copies of the final Order, the petition, and other supporting information at EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202–2723. EPA requests that if at all possible, you contact the individual listed in the

FOR FURTHER INFORMATION CONTACT section to view copies of the final Order, petitions, and other supporting information. You may view the hard copies Monday through Friday, from 9:00 a.m. to 3:00 p.m., excluding Federal holidays. If you wish to examine these documents, you should make an appointment at least 24 hours before the visitation day. Additionally, the final September 24, 2015 Order is available electronically at: http://www2.epa.gov/title-v-operating-permits/order-responding-2014-petition- requesting-administrator-object-deer-park.

FOR FURTHER INFORMATION CONTACT: Aimee Wilson at (214) 665–7596, email address: wilson.aimee@epa.gov or the above EPA, Region 6 address.

SUPPLEMENTARY INFORMATION: The CAA affords EPA a 45-day period to review, and object, as appropriate, to a title V operating permit proposed by a state permitting authority. Section 505(b)(2) of the CAA authorizes any person to petition the EPA Administrator, within 60 days after the expiration of this review period, to object to a title V operating permit if EPA has not done so. Petitions must be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided by the state, unless the petitioner demonstrates that it was impracticable to raise such objections during the comment period or unless the grounds for the objection arose after this period.

The Petitioners maintain that the Shell Deer Park title V operating permits are inconsistent with the Act based on the following contenotions: (1) The proposed permits’ incorporation by reference of minor NSR authorizations fails to assure compliance; (2) The proposed permits’ incorporation by reference of permits by rule fails to assure compliance; (3) The proposed permits fail to require monitoring, recordkeeping, and reporting sufficient to assure compliance with applicable requirements; (4) The proposed permit for the Deer Park Refinery impermissibly uses the permit shield provisions; (5) The proposed permits fail to require Shell to obtain SIP-approved authorizations for qualified facilities changes; (6) The proposed permit for the Chemical Plant fails to address Shell’s non-compliance with 30 Texas Administrative Code section 116.116(d), which requires PBRs for previously permitted facilities to be incorporated into existing permits on renewal or amendment; (7) The Executive Director’s revision to draft permits’ special condition 28 in O1668 and special condition 29 in O1669 are improper; and (8) The proposed permits must clarify that credible evidence may be used by citizens to enforce the terms and conditions of the permits. The claims are described in detail in Section IV of the Order.

Pursuant to sections 505(b) and 505(e) of the Clean Air Act (42 U.S.C. 7661d(b) and (e)) and 40 CFR 70.7(g) and 70.8(d), the Texas Commission on Environmental Quality (TCEQ) has 90 days from the receipt of the Administrator’s order to resolve the objections identified in Claims 2., 3.B., 3.C., and 6. of the Order and submit a proposed determination or termination, modification, or revocation and reissuance of the Shell Deer Park title V permits in accordance with EPA’s objections. The Order issued on September 24, 2015 responds to the Petitions and explains the basis for EPA’s decisions.

Samuel Coleman,
Acting Regional Administrator, Region 6.

ENVIRONMENTAL PROTECTION AGENCY
FRL 9936–15–OA

Notification of a Public Teleconference of the Clean Air Scientific Advisory Committee Secondary National Ambient Air Quality Standards Review Panel for Oxides of Nitrogen and Sulfur

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.


DATES: The CASAC Secondary NAAQS Review Panel for Oxides of Nitrogen and Sulfur will hold a teleconference on Tuesday December 1, 2015 from 1:00 p.m. to 5:00 p.m. (Eastern Standard Time).

Location: The public teleconference will take place by telephone only.

Washington, DC, on October 2, 2015.
FOR FURTHER INFORMATION CONTACT: Any member of the public wishing to obtain information concerning the public meeting may contact Dr. Sue Shallal, Designated Federal Officer (DFO), EPA Science Advisory Board Staff Office (1400R), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue NW., Washington, DC 20460; by telephone/voice mail at (202) 564–2057 or at shallal.suhair@epa.gov. General information about the CASAC, as well as any updates concerning the teleconference announced in this notice, may be found on the EPA Web site at http://www.epa.gov/casac.

SUPPLEMENTARY INFORMATION: The CASAC was established pursuant to the Clean Air Act (CAA) Amendments of 1977, codified at 42 U.S.C. 7409(d)(2), in part to review air quality criteria and NAAQS and recommend any new NAAQS and revisions of existing criteria and NAAQS as may be appropriate. The CASAC is a Federal Advisory Committee chartered under the Federal Advisory Committee Act (FACA), 5 U.S.C., App. 2. Section 109(d)(1) of the CAA requires that the Agency periodically review and revise, as appropriate, the air quality criteria and the NAAQS for the six “criteria” air pollutants, including oxides of nitrogen and oxides of sulfur. EPA is currently reviewing the secondary (welfare-based) ambient air quality standards for oxides of nitrogen and sulfur and has requested CASAC advice. Accordingly, the SAB Staff Office solicited nominations for the CASAC Secondary NAAQS Review Panel for Oxides of Nitrogen and Sulfur on March 27, 2014 (79 FR 17147–17149). Membership of the Panel is listed at http://yosemite.epa.gov/sab/sabpeople.nsf/WebCommitteesSubcommittees/Secondary%20NA AQS%20Review%20Panel%20for%20O xides%20of%20Nitrogen%20and%20 Sulfur. EPA will develop several documents in support of its review of the secondary (welfare-based) NAAQS for oxides of nitrogen and sulfur, drafts of which will be subject to review by the CASAC panel. These documents include the Integrated Review Plan (IRP) for the secondary NAAQS for oxides of nitrogen and sulfur, the Integrated Science Assessment (ISA) for Oxides of Nitrogen and Sulfur—Ecological Criteria; a Risk and Exposure Assessment (REA), as warranted; and the Policy Assessment (PA).

Pursuant to FACA and EPA policy, notice is hereby given that the CASAC Secondary National Ambient Air Quality Standards Review Panel for Oxides of Nitrogen and Sulfur will hold a public teleconference to peer review EPA’s Integrated Review Plan (IRP) for the Secondary (welfare-based) National Ambient Air Quality Standards for Oxides of Nitrogen and Oxides of Sulfur. The CASAC Panel will comply with the provisions of FACA and all appropriate SAB Staff Office procedural policies.

Technical Contacts: Any technical questions concerning the Integrated Review Plan (IRP) for the Secondary (welfare-based) National Ambient Air Quality Standards for Oxides of Nitrogen and Oxides of Sulfur should be directed to Ms. Ginger Tennant (tennant.ginger@epa.gov), EPA Office Air Quality Planning and Standards.

Availability of Meeting Materials: Prior to the teleconference, the review documents, agenda and other materials will be accessible through the calendar link on the blue navigation bar at http://www.epa.gov/casac/.

Procedures for Providing Public Input: Public comment for consideration by EPA’s federal advisory committees and panels has a different purpose from public comment provided to EPA program offices. Therefore, the process for submitting comments to a federal advisory committee is different from the process used to submit comments to an EPA program office.

Federal advisory committees and panels, including scientific advisory committees, provide independent advice to EPA. Members of the public can submit comments for a federal advisory committee to consider as it develops advice for EPA. Interested members of the public may submit relevant written or oral information on the topic of this advisory activity, and/or the group conducting the activity, for the CASAC to consider during the advisory process. Input from the public to the CASAC will have the most impact if it provides specific scientific or technical information or analysis for CASAC panels to consider or if it relates to the clarity or accuracy of the technical information. Members of the public wishing to provide comment should contact the DFO directly.

Oral Statements: In general, individuals or groups requesting an oral presentation at a public teleconference will be limited to three minutes. Each person making an oral statement should consider providing written comments as well as their oral statement so that the points presented orally can be expanded upon in writing. Interested parties should contact Dr. Sue Shallal, DFO, in writing (preferably via email) at the contact information noted above by November 17, 2015 to be placed on the list of public speakers.

Written Statements: Written statements should be supplied to the DFO via email at the contact information noted above by November 17, 2015 so that the information may be made available to the Panel members for their consideration. It is the SAB Staff Office general policy to post written comments on the Web page for the advisory meeting or teleconference. Submitters are requested to provide an unsigned version of each document because the SAB Staff Office does not publish documents with signatures on its Web sites. Members of the public should be aware that their personal contact information, if included in any written comments, may be posted to the CASAC Web site. Copyrighted material will not be posted without explicit permission of the copyright holder.

Accessibility: For information on access or services for individuals with disabilities, please contact Dr. Sue Shallal at the contact information provided above. To request accommodation of a disability, please contact Dr. Shallal preferably at least ten days prior to the teleconference to give EPA as much time as possible to process your request.


Thomas H. Brennan,
Deputy Director, EPA Science Advisory Staff Office.

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ENVIRONMENTAL PROTECTION AGENCY

Performance Partnership Grants

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This action adds the Beaches Environmental Assessment and Coastal Health (BEACH) Act grant program to the list of the Environmental Protection Agency’s (EPA) environmental grant programs eligible for inclusion in Performance Partnership Grants (PPGs).

FOR FURTHER INFORMATION CONTACT: Reynold Meni, Office of Congressional and Intergovernmental Relations, Office of the Administrator (Mail Code 1301), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 564–3669; fax number: (202) 501–1540; email address: meni.reynold@epa.gov.

SUPPLEMENTARY INFORMATION: The Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Pub. L.