

governments, or on the private sector, within the meaning of UMRA.

List of Subjects in 24 CFR Part 51

Airports, Hazardous substances, Housing standards, Incorporation by reference, Noise control.

Accordingly, for the reasons stated in the foregoing preamble, HUD proposes to amend 24 CFR part 51 as follows:

PART 51—ENVIRONMENTAL CRITERIA AND STANDARDS

■ 1. The authority citation for 24 CFR part 51 continues to read as follows:

Authority: 42 U.S.C. 3535(d), unless otherwise noted.

■ 2. In § 51.200, revise the heading, designate the introductory text as paragraph (a), redesignate paragraphs(a) through (e) as paragraphs (a)(1) through (a)(5), and add new paragraph (b) to read as follows:

§ 51.200 Purpose and Incorporation by Reference.

(a) The purpose of this subpart C is to:

\* \* \* \* \*

(b) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. All approved material is available for inspection at HUD's Office of Environment and Energy, 202-402-5226, and from the sources indicated below. It is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030 or visit www.archives.gov/federal-register/cfr/ibr-locations.html. Persons with hearing or speech impairments may access the numbers above through TTY by calling the Federal Relay Service, toll-free, at 800-877-8339.

(1) National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269, telephone number 617-770-3000, fax number 617-770-0700, www.nfpa.org.

(i) NFPA 58: Liquefied Petroleum Gas Code (2017), IBR approved for § 51.201.

(ii) [Reserved]
(2) [Reserved]

■ 3. In § 51.201, revise the definition of "Hazard" to read as follows:

§ 51.201 Definitions.

\* \* \* \* \*

Hazard—means any stationary container which stores, handles, or processes hazardous substances of an explosive or fire prone nature. The term "hazard" does not include:

(1) Pipelines for the transmission of hazardous substances, if such pipelines

are located underground, or comply with applicable Federal, State and local safety standards;

(2) Containers with a capacity of 100 gallons or less when they contain common liquid industrial fuels, such as gasoline, fuel oil, kerosene and crude oil, since they generally would pose no danger in terms of thermal radiation or blast overpressure to a project;

(3) Facilities that are shielded from a proposed HUD-assisted project by the topography, because these topographic features effectively provide a mitigating measure already in place;

(4) All underground containers; and

(5) Containers designed to hold liquefied propane gas with a volumetric capacity not to exceed 250 gallons, if they comply with the NFPA 58 (incorporated by reference, see § 51.200(b)).

\* \* \* \* \*

Dated: October 18, 2018.

Neal J. Rackleff,

Assistant Secretary for Community Planning and Development.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 9 and 721

[EPA-HQ-OPPT-2018-0567; FRL-9986-34]

RIN 2070-AB27

Significant New Use Rules on Certain Chemical Substances; Reopening of Comment Period

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; reopening of comment period.

SUMMARY: EPA issued a proposed significant new use rule (SNUR) in the Federal Register of September 17, 2018 (FRL-9983-14) for 28 chemical substances. EPA is reopening the comment period because it received a request to extend the comment period but the request was received too late to publish an extension of the comment period before the comment period expired.

DATES: Comments, identified by docket identification (ID) number EPA-HQ-OPPT-2018-0567 must be received on or before January 9, 2019. This Federal Register document published the issue of September 17, 2018 reopens the comment period for the proposed rule until January 9, 2019.

ADDRESSES: Follow the detailed instructions provided under ADDRESSES

in the Federal Register document of September 17, 2018 (83 FR 47004) (FRL-9983-14).

FOR FURTHER INFORMATION CONTACT:

For technical information contact: Kenneth Moss, Chemical Control Division (7405M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; telephone number: (202) 564-9232; email address: moss.kenneth@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.

SUPPLEMENTARY INFORMATION: This document reopens the public comment period established in the Federal Register document of September 17, 2018. In that document, EPA proposed SNURs for 28 chemical substances. EPA received a request to extend the comment period for 30 days but the request was received too late to publish an extension of the comment period before the comment period expired. EPA is hereby reopening the comment period for 30 days.

Note that in the September 17, 2018 issue of the Federal Register including the proposed SNURs for 28 chemical substances, the Agency also issued direct final SNURs for these chemical substances (83 FR 47004) (FRL-9983-14). As of the date of signature of this action to reopen the comment period on the proposed rule, that direct final rule was in the process of being withdrawn because of the receipt of adverse comments and a request to extend the comment period. EPA will address all adverse public comments in a subsequent final rule, based on the proposed rule.

To submit comments, or access the docket, please follow the detailed instructions provided under ADDRESSES in the Federal Register document of September 17, 2018. If you have questions, consult the technical person listed under FOR FURTHER INFORMATION CONTACT.

List of Subjects

40 CFR Part 9

Environmental protection, Reporting and recordkeeping requirements.

40 CFR Part 721

Environmental protection, Chemicals, Hazardous substances, Reporting and recordkeeping requirements.

Dated: November 16, 2018.

**Jeffrey T. Morris,**

*Director, Office of Pollution Prevention and Toxics.*

[FR Doc. 2018-26685 Filed 12-7-18; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 271

[EPA-R04-RCRA-2018-0529; FRL-9987-36-Region 4]

### Alabama: Authorization of State Hazardous Waste Management Program Revisions

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

**ACTION:** Proposed rule.

**SUMMARY:** Alabama has applied to the Environmental Protection Agency (EPA) for final authorization of changes to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA), as amended. EPA has reviewed Alabama's application and is proposing to determine that these changes satisfy all requirements needed to qualify for final authorization.

Therefore, we are proposing to authorize the State's changes. EPA seeks public comment prior to taking final action.

**DATES:** Comments must be received on or before January 9, 2019.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R04-RCRA-2018-0529, at <https://www.regulations.gov>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from

[www.regulations.gov](https://www.regulations.gov). EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <http://www2.epa.gov/dockets/commenting-epa-dockets>.

### FOR FURTHER INFORMATION CONTACT:

Audrey Baker, Materials and Waste Management Branch, RCR Division, U.S. Environmental Protection Agency, Atlanta Federal Center, 61 Forsyth Street SW, Atlanta, Georgia 30303-8960; telephone number: (404) 562-8483; fax number: (404) 562-9964; email address: [baker.audrey@epa.gov](mailto:baker.audrey@epa.gov).

### SUPPLEMENTARY INFORMATION:

#### A. Why are revisions to state programs necessary?

States that have received final authorization from EPA under RCRA section 3006(b), 42 U.S.C. 6926(b), must maintain a hazardous waste program that is equivalent to, consistent with, and no less stringent than the federal program. As the federal program changes, states must change their programs and ask EPA to authorize the changes. Changes to state programs may be necessary when federal or state statutory or regulatory authority is modified or when certain other changes occur. Most commonly, states must change their programs because of changes to EPA's regulations in 40 Code of Federal Regulations (CFR) parts 124, 260 through 268, 270, 273, and 279.

New federal requirements and prohibitions imposed by federal regulations that EPA promulgates pursuant to the Hazardous and Solid Waste Amendments of 1984 (HSWA) take effect in authorized states at the same time that they take effect in unauthorized states. Thus, EPA implements those requirements and prohibitions in the states, including the issuance of new permits implementing those requirements, until the states are granted authorization to do so.

#### B. What decision is EPA proposing to make in this rule?

Alabama submitted final complete program revision applications, dated November 2, 2016 and May 11, 2018, seeking authorization of changes to its hazardous waste program that correspond to certain federal rules promulgated between July 1, 2004 and June 30, 2015 (including RCRA Clusters<sup>1</sup> XV, XVI, XIX through XXI, XXIII, and XXIV). EPA concludes that Alabama's applications to revise its authorized program meet all of the statutory and regulatory requirements established by RCRA, as set forth in RCRA section 3006(b), 42 U.S.C. 6926(b), and 40 CFR part 271. Therefore, EPA proposes to grant Alabama final authorization to operate its hazardous

<sup>1</sup> A "cluster" is a grouping of hazardous waste rules that EPA promulgates from July 1 of one year to June 30 of the following year.

waste program with the changes described in the authorization applications, and as outlined below in Section F of this document.

Alabama has responsibility for permitting treatment, storage, and disposal facilities within its borders (except in Indian country) and for carrying out the aspects of the RCRA program described in its revised program applications, subject to the limitations of HSWA, as discussed above.

#### C. What is the effect of this proposed authorization decision?

If Alabama is authorized for the changes described in Alabama's authorization applications, these changes will become part of the authorized State hazardous waste program, and therefore will be federally enforceable. Alabama will continue to have primary enforcement authority and responsibility for its State hazardous waste program. EPA would retain its authorities under RCRA sections 3007, 3008, 3013, and 7003, including its authority to:

- Conduct inspections, and require monitoring, tests, analyses or reports;
- Enforce RCRA requirements, including authorized State program requirements, and suspend or revoke permits; and
- Take enforcement actions regardless of whether the State has taken its own actions.

This action will not impose additional requirements on the regulated community because the regulations for which EPA is proposing to authorize Alabama are already effective, and are not changed by today's proposed action.

#### D. What happens if EPA receives comments that oppose this action?

EPA will evaluate any comments received on this proposed action and will make a final decision on approval or disapproval of Alabama's proposed authorization. Our decision will be published in the **Federal Register**. You may not have another opportunity to comment. If you want to comment on this authorization, you must do so at this time.

#### E. What has Alabama previously been authorized for?

Alabama initially received final authorization on December 8, 1987, effective December 22, 1987 (52 FR 46466), to implement the RCRA hazardous waste management program. EPA granted authorization for changes to Alabama's program on the following dates: November 29, 1991, effective January 28, 1992 (56 FR 60926); May 13,