

involves a change to the operating schedule of a drawbridge. It is categorically excluded from further review under paragraph L49 of Appendix A, Table 1 of DHS Instruction Manual 023-01-001-01, Rev. 01. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

#### G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places, or vessels.

#### VI. Public Participation and Request for Comments

We view public participation as essential to effective rulemaking, and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

We encourage you to submit comments through the Federal eRulemaking Portal at <http://www.regulations.gov>. If your material cannot be submitted using <http://www.regulations.gov>, contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

We accept anonymous comments. All comments received will be posted without change to <http://www.regulations.gov> and will include any personal information you have provided. For more about privacy and the docket, visit <http://www.regulations.gov/privacynotice>.

Documents mentioned in this SNPRM as being available in this docket and all public comments, will be in our online docket at <http://www.regulations.gov> and can be viewed by following that website's instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted or a final rule is published.

#### List of Subjects in 33 CFR Part 117

Bridges.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 117 as follows:

#### PART 117—DRAWBRIDGE OPERATION REGULATIONS

■ 1. The authority citation for part 117 continues to read as follows:

**Authority:** 33 U.S.C. 499; 33 CFR 1.05-1; Department of Homeland Security Delegation No. 0170.1.

■ 2. Revise § 117.463 to read as follows:

##### § 117.463 Lacombe Bayou

(a) The draw of the US190 bridge, mile 6.8 at Lacombe, shall open on signal if at least 48 hours notice is given.

(b) The draw of the Tammany Trace bridge, mile 5.2 at Lacombe, shall open on signal if at least 2 hours notice is given.

Dated: February 6, 2019.

**Paul F. Thomas,**

*Rear Admiral, U.S. Coast Guard, Commander, Eighth Coast Guard District.*

**Editorial Note:** This document was submitted to the Office of the Federal Register on November 1, 2019.

[FR Doc. 2019-24238 Filed 11-5-19; 8:45 am]

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#### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Parts 51, 52, 70, and 71

[EPA-HQ-OAR-2006-0089; FRL-10001-61-OAR]

#### Prevention of Significant Deterioration, Nonattainment New Source Review, and Title V: Treatment of Corn Milling Facilities Under the “Major Emitting Facility” Definition; Reconsideration

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

**ACTION:** Partial grant and partial denial of a petition for reconsideration.

**SUMMARY:** On March 2, 2009, the Natural Resource Defense Council (NRDC) submitted a petition for reconsideration (the NRDC Petition) of the rule “Prevention of Significant Deterioration, Nonattainment New Source Review and Title V: Treatment of Certain Ethanol Production Facilities Under the ‘Major Emitting Facility’ Definition” (the Ethanol Rule), published in the **Federal Register** on May 1, 2007. The Ethanol Rule reinterpreted the component term “chemical process plants” within the statutory definition of “major emitting facility” and regulatory definitions of “major stationary source” under the Prevention of Significant Deterioration and Nonattainment New Source Review programs and “major source” under title V, to exclude all facilities that produce ethanol through a natural fermentation

process. In response to the NRDC Petition, the Environmental Protection Agency (EPA) grants the request for reconsideration with regard to NRDC's claim that the Ethanol Rule did not appropriately address the Clean Air Act (CAA) anti-backsliding requirements for nonattainment areas in the Ethanol Rule. Therefore, the EPA is convening a proceeding for reconsideration as provided for under the CAA. In the near future, the EPA will publish a document in the **Federal Register** establishing a comment period and opportunity for a hearing for this proceeding. With regards to the other three claims raised in the NRDC Petition, the EPA denies the request for reconsideration. For these claims, NRDC has failed to establish that they meet the criteria for reconsideration under the CAA.

**DATES:** November 6, 2019.

**ADDRESSES:** Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, Mail Code C504-03, Research Triangle Park, N.C. 27711,

**FOR FURTHER INFORMATION CONTACT:** Mr. Dylan Mataway-Novak, Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, Mail Code C504-03, Research Triangle Park, N.C. 27711, phone number (919) 541-5795 or by email at [mataway-novak.dylan@epa.gov](mailto:mataway-novak.dylan@epa.gov).

#### SUPPLEMENTARY INFORMATION:

#### I. Where can I get copies of this document and other related information?

This **Federal Register** document, the petition for reconsideration, and the response letter to the petitioner are available in the docket that the EPA established for the Ethanol Rule under Docket ID NO. EPA-HQ-OAR-2006-0089. All documents in the docket are listed in the index at <http://www.regulations.gov>. Although listed in the index, some information is not publicly available, *i.e.*, Confidential Business Information 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 the docket or in hard copy at the Docket, EPA/DC, EPA West, Room 3334, 1301 Constitution Ave. NW, Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m. Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for

the Office of Air and Radiation Docket and Information Center is (202) 566-1742.

**II. Judicial Review**

Section 307(b)(1) of the CAA indicates which Federal Courts of Appeal have venue for petitions of review of final actions by the EPA. This section provides, in part, that petitions for review must be filed in the Court of Appeals for the District of Columbia Circuit: (i) When the agency action consists of “nationally applicable regulations promulgated, or final actions taken, by the Administrator,” or (ii) when such action is locally or regionally applicable, if “such action is based on a determination of nationwide scope or effect and if in taking such action the Administrator finds and publishes that such action is based on such a determination.” In the Ethanol Rule, the EPA determined that the action was of nationwide scope and effect for the purposes of CAA section 307(b)(1). See 72 FR 24060, 24077 (May 1, 2007).

The EPA has determined that its actions denying the petitions for reconsideration also are of nationwide scope and effect because these actions directly relate to the Ethanol Rule that the EPA previously determined are of nationwide scope and effect. Thus, any petitions for review of the final letters denying the petitions for reconsideration must be filed in the Court of Appeals for the District of Columbia Circuit on or before January 6, 2020.

Dated: October 22, 2019.

**Andrew R. Wheeler,**  
Administrator.

[FR Doc. 2019-23711 Filed 11-5-19; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 228**

[EPA-R04-OW-2019-0592; FRL-10001-81-Region 4]

**Ocean Dumping: Cancellation of Final Designation for an Ocean Dredged Material Disposal Site**

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

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) proposes to cancel the final designation of an ocean dredged material disposal site (ODMDS) pursuant to the Marine Protection, Research and Sanctuaries Act, as amended (MPRSA). The ODMDS is in the Atlantic Ocean offshore Wilmington, North Carolina. This proposed action is being taken because this site has been replaced by another permanent site. In addition, the EPA proposes to rename the permanent site that exists for the Wilmington, North Carolina area.

**DATES:** Comments must be received by December 23, 2019.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R04-OW-2019-0592, by one of the following methods:

- *www.regulations.gov:* Follow the on-line instructions for submitting comments and accessing the docket and materials related to this proposed rule.
- *Email:* collins.garyw@epa.gov.
- *Mail:* Gary W. Collins, U.S.

Environmental Protection Agency, Region 4, Water Division, Oceans and Estuarine Management Section, 61 Forsyth Street, Atlanta, Georgia 30303.

*Instructions:* Direct your comments to Docket ID No. EPA-R04-OW-2019-0592. The 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* website is an “anonymous access” system, which means the 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 the 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, the 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 the EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, the 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 the EPA’s public docket visit the EPA Docket Center homepage at <http://www.epa.gov/epahome/dockets.htm>.

*Docket:* Publicly available docket materials are available either electronically at *www.regulations.gov* or in hard copy during normal business hours from the regional library at the U.S. Environmental Protection Agency, Region 4 Library, 9th Floor, 61 Forsyth Street, Atlanta, Georgia 30303. For access to the documents at the Region 4 Library, contact the Region 4 Library Reference Desk at (404) 562-8190, between the hours of 9:00 a.m. to 12:00 p.m., and between the hours of 1:00 p.m. to 4:00 p.m., Monday through Friday, excluding Federal holidays, for an appointment.

**FOR FURTHER INFORMATION CONTACT:** Gary W. Collins, U.S. Environmental Protection Agency, Region 4, Water Division, Oceans and Estuarine Management Section, 61 Forsyth Street, Atlanta, Georgia 30303; phone number (404) 562-9395; email: *collins.garyw@epa.gov*.

**SUPPLEMENTARY INFORMATION:**

**I. Potentially Affected Persons**

Persons potentially affected by this proposed action include those who seek or might seek permits or approval to dispose of dredged material into ocean waters pursuant to the Marine Protection, Research, and Sanctuaries Act, as amended (MPRSA), 33 U.S.C. 1401 to 1445. The EPA’s proposed action would be relevant to persons, including organizations and government bodies seeking to dispose of dredged material in ocean waters offshore of Wilmington, North Carolina. Currently, the U.S. Army Corps of Engineers (USACE) would be most affected by this action. Potentially affected categories and persons include:

| Category                                  | Examples of potentially regulated persons  |
|---|--|
| Federal Government .....                  | U.S. Army Corps of Engineers Civil Works projects, U.S. Navy and other Federal agencies.   |
| Industry and general public .....         | Port authorities, marinas and harbors, shipyards and marine repair facilities, berth owners.   |
| State, local and tribal governments ..... | Governments owning and/or responsible for ports, harbors, and/or berths, government agencies requiring disposal of dredged material associated with public works projects. |