

**ACTION:** Notice of final Order on Petition for objection to Clean Air Act Title V operating permit.

**SUMMARY:** The Environmental Protection Agency (EPA) Administrator signed an Order dated July 20, 2021, granting in part and denying in part a Petition dated April 4, 2017 from the Environmental Integrity Project and Sierra Club. The Petition requested that the EPA object to a Clean Air Act (CAA) title V operating permit issued by the Texas Commission on Environmental Quality (TCEQ) to BP Amoco Chemical Company (BP Amoco) for its Texas City Chemical Plant located in Galveston County, Texas.

**ADDRESSES:** The EPA requests that you contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section to view copies of the final Order, the Petition, and other supporting information. Out of an abundance of caution for members of the public and our staff, the EPA Region 6 office is currently closed to the public to reduce the risk of transmitting COVID-19. Please call or email the contact listed below if you need alternative access to the final Order and Petition, which are available electronically at: <https://www.epa.gov/title-v-operating-permits/title-v-petition-database>.

**FOR FURTHER INFORMATION CONTACT:** Aimee Wilson, EPA Region 6 Office, Air Permits Section, (214) 665-7596, [wilson.aimee@epa.gov](mailto:wilson.aimee@epa.gov).

**SUPPLEMENTARY INFORMATION:** The CAA affords EPA a 45-day period to review and object to, as appropriate, operating permits proposed by state permitting authorities under title V of the CAA. Section 505(b)(2) of the CAA authorizes any person to petition the EPA Administrator to object to a title V operating permit within 60 days after the expiration of the EPA's 45-day review period if the EPA has not objected on its own initiative. 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 these issues during the comment period or unless the grounds for the issue arose after this period.

The EPA received the Petition from the Environmental Integrity Project and Sierra Club dated April 4, 2017, requesting that the EPA object to the issuance of operating permit no. O1513, issued by TCEQ to the Texas City Chemical Plant in Galveston County, Texas. The Petition claims the proposed permit failed to establish a compliance schedule for BP Amoco to obtain a

federally approved major source permit, failed to assure compliance with emission limits and operating requirements established by BP Amoco's New Source Review (NSR) permits, and failed to incorporate permits by rule (PBR) to assure compliance with applicable requirements.

On July 20, 2021, the EPA Administrator issued an Order granting in part and denying in part the Petition. The Order explains the basis for EPA's decision.

Dated: August 5, 2021.

**David Garcia,**

*Director, Air and Radiation Division, Region 6.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-8772-01-R9]

### Public Water System Supervision Program Revision for the State of Hawaii

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

**ACTION:** Notice of tentative approval.

**SUMMARY:** Notice is hereby given that the State of Hawaii (State) revised its Public Water System Supervision (PWSS) Program under the federal Safe Drinking Water Act (SDWA) by adopting regulations to implement the federal Radionuclides Rule. The Environmental Protection Agency (EPA) has determined that the State's revisions are no less stringent than the corresponding Federal regulations and otherwise meet applicable SDWA primacy requirements. Therefore, EPA intends to approve the stated revisions as part of the State's PWSS Program.

**DATES:** A request for a public hearing must be received or postmarked before September 13, 2021.

**ADDRESSES:** All documents relating to this determination are available for inspection online at <http://health.hawaii.gov/sdwb/public-notices/>. In addition, documents relating to this determination are available between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday, except official State holidays, at the following address: Hawaii Department of Health, Safe Drinking Water Branch, 2385 Waimano Home Road, Uluakupu Building 4, Pearl City, Hawaii 96782.

**FOR FURTHER INFORMATION CONTACT:**

Anna Yen, United States Environmental Protection Agency, Region 9, Drinking

Water Section, via telephone number: (415) 972-3976 or email address: [yen.anna@epa.gov](mailto:yen.anna@epa.gov).

### SUPPLEMENTARY INFORMATION:

**Background.** EPA approved the State's initial application for PWSS Program primary enforcement authority ("primacy") on October 20, 1977 (42 FR 47244). Since initial approval, EPA has approved various revisions to Hawaii's PWSS Program. For the revisions covered by this action, the EPA revised the Radionuclides Rule on December 7, 2000 (66 FR 76708), which had been in effect since 1977. The revisions set new monitoring provisions for community water systems; retain the existing maximum contaminant levels (MCLs) for combined radium-226 and radium-228, gross alpha particle radioactivity, and beta particle and photon activity; and regulate uranium for the first time. EPA has determined that the Radionuclides Rule was adopted verbatim into the Hawaii Administrative Rules (HAR), Title 11, Chapter 20, in a manner that Hawaii's regulations are comparable to and no less stringent than federal requirements. EPA has also determined that the State's primacy revision application meets all of the regulatory requirements for approval, as set forth in 40 CFR 142.12, including a side-by-side comparison of the Federal requirements and the corresponding State authorities, additional materials to support special primacy requirements of 40 CFR 142.16, and a statement by the Hawaii Attorney General certifying that Hawaii's laws and regulations to carry out the program revisions were duly adopted and are enforceable. Therefore, EPA is tentatively approving the State's revisions as part of Hawaii's PWSS Program.

**Public Process.** Any interested party may request a public hearing on this determination. A request for a public hearing must be received or postmarked before September 13, 2021, and addressed to the Regional Administrator at the EPA Region 9, via the following email address: [R9dw-program@epa.gov](mailto:R9dw-program@epa.gov). Please note, "State Primacy Rule Determination" in the subject line of the email. The Regional Administrator may deny frivolous or insubstantial requests for a hearing. If a substantial request for a public hearing is made before September 13, 2021, EPA Region 9 will hold a public hearing. Any request for a public hearing shall include the following information: 1. The name, address, and telephone number of the individual, organization, or other entity requesting a hearing; 2. A brief statement of the requesting person's interest in the Regional Administrator's

determination and a brief statement of the information that the requesting person intends to submit at such hearing; and 3. The signature of the individual making the request, or, if the request is made on behalf of an organization or other entity, the signature of a responsible official of the organization or other entity.

If EPA Region 9 does not receive a timely and appropriate request for a hearing and the Regional Administrator does not elect to hold a hearing on her own motion, this determination shall become final and effective on September 13, 2021, and no further public notice will be issued.

*Authority:* Section 1413 of the Safe Drinking Water Act, as amended, 42 U.S.C. 300g-2 (1996), and 40 CFR part 142 of the National Primary Drinking Water Regulations.

Dated: August 5, 2021.

**Deborah Jordan,**

*Acting Regional Administrator, EPA Region 9.*

[FR Doc. 2021-17098 Filed 8-11-21; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2017-0652; FRL-8703-01-OCSPP]

### Agency Information Collection Activities; Proposed Renewal of an Existing Collection and Request for Comment; Expanded Access to the Toxic Substances Control Act (TSCA) Confidential Business Information

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

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (PRA), this document announces the availability of and solicits public comment on an Information Collection Request (ICR) that EPA is planning to submit to the Office of Management and Budget (OMB). The ICR, entitled: "Expanded Access to TSCA Confidential Business Information" and identified by EPA ICR No. 2570.02 and OMB Control No. 2070-0209, represents the renewal of an existing ICR that is scheduled to expire on March 31, 2022. Before submitting the ICR to OMB for review and approval under the PRA, EPA is soliciting comments on specific aspects of the information collection that is summarized in this document. The ICR and accompanying material are available in the docket for public review and comment.

**DATES:** Comments must be received on or before October 12, 2021.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2017-0625, online through the Federal eRulemaking Portal at <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. Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at <http://www.epa.gov/dockets>.

Please note that due to the public health concerns related to COVID-19, the EPA Docket Center (EPA/DC) and Reading Room is closed to visitors with limited exceptions. The staff continues to provide remote customer service via email, phone, and webform. For the latest status information on EPA/DC and docket access, visit <https://www.epa.gov/dockets>.

#### FOR FURTHER INFORMATION CONTACT:

Jessica Barkas, PMOD (7408M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; telephone number: (202) 250-8880; email address: [barkas.jessica@epa.gov](mailto:barkas.jessica@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. What information is EPA particularly interested in?

Pursuant to the Paperwork Reduction Act (PRA) section 3506(c)(2)(A) (44 U.S.C. 3506(c)(2)(A)), EPA specifically solicits comments and information to enable it to:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility.
2. Evaluate the accuracy of the Agency's estimates of the burden of the proposed collection of information, including the validity of the methodology and assumptions used.
3. Enhance the quality, utility, and clarity of the information to be collected.
4. Minimize the burden of the collection of information on those who are to respond, including through the

use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses. In particular, EPA is requesting comments from very small businesses (those that employ less than 25) on examples of specific additional efforts that EPA could make to reduce the paperwork burden for very small businesses affected by this collection.

##### II. What information collection activity or ICR does this action apply to?

*Title:* Expanded Access to TSCA Confidential Business Information.

*ICR number:* EPA ICR No. 2570.02.

*OMB control number:* OMB Control No. 2070-0209.

*ICR status:* This ICR is currently scheduled to expire on March 31, 2022. An Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information, unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations in title 40 of the Code of Federal Regulations (CFR), after appearing in the **Federal Register** when approved, are listed in 40 CFR part 9, are displayed either by publication in the **Federal Register** or by other appropriate means, such as on the related collection instrument or form, if applicable. The display of OMB control numbers for certain EPA regulations is consolidated in 40 CFR part 9.

*Abstract:* The 2016 amendments to the Toxic Substances Control Act (TSCA) in the Frank R. Lautenberg Chemical Safety for the 21st Century Act, expanded the categories of people to whom EPA may disclose TSCA confidential business information (CBI). The amendments authorize EPA to disclose TSCA CBI to state, tribal, and local governments; environmental, health, and medical professionals; and emergency responders, under certain conditions, including consistency with guidance that EPA is required to develop. Three guidance documents have been developed, corresponding to the new authorities in TSCA section 14(d)(4), (5), and (6).

The conditions for access vary under each of the new provisions, but generally include the following: Requesters must show that they have a need for the information related to their employment, professional, or legal duties; recipients of TSCA CBI are prohibited from disclosing or permitting further disclosure of the information to individuals not authorized to receive it (physicians/nurses may disclose the information to their patient); and except in emergency situations EPA must