

are conducted in accordance with 40 CFR part 22.

#### CAA

NCW also violated regulations promulgated pursuant to the California SIP involving the two facilities described in the paragraphs below at varying lengths of time between 2001 and 2007. Section 110(a)(1) of the CAA, 42 U.S.C. 7410(a)(2), requires states to submit implementation plans to implement, maintain, and enforce ambient air quality standards. Section 110(a)(2)(C) of the CAA, 42 U.S.C. 7410(a)(2), requires states to include in their implementation plans regulation of the modification and construction of any stationary source covered by the plan. The California State Implementation Plan (SIP) includes requirements from local governments. The California SIP, including the requirements specific to the local governments, was approved by EPA under section 110 of the Act, 42 U.S.C. 7410.

The California air quality control districts' rules for the jurisdictions set forth below include regulations that require construction and/or operating permits for certain stationary sources of air pollution. As detailed below, each of these provisions was incorporated into the California SIP and is therefore federally enforceable.

In the State of California, NCW operates diesel fuel-powered electric generators that are stationary sources within the meaning of CAA section 302(z), 42 U.S.C. 7602(z).

A. Bay Area Air Quality Management District (BAAQMD)—The California SIP includes a provision, Regulation 2, Rule 1 BAAQMD Rules, stating that any person installing any equipment, the use of which may cause the issuance of air contaminants, must first obtain authorization for such construction and subsequent operation. This provision was federally approved and became federally enforceable on January 26, 1999 (64 Fed. Reg. 3850). NCW owns or operates a facility (2 miles off Lynch Road, Suisun, CA) in the BAAQMD that installed a pollution-emitting diesel-powered electric generating unit without written authorization from BAAQMD in violation of Regulation 2, Rule 1.

B. San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD)—The California SIP includes a provision, section 3.0 in SJVUAPCD Rule 2010, stating that any person installing any equipment, the use of which may cause the issuance of air contaminants, must first obtain authorization for such construction and

subsequent operation. This provision was federally approved and became federally enforceable on July 23, 1999 (64 Fed. Reg. 39,920). NCW owns or operates a facility (6855 West Eight Mile Road, Stockton, CA) in the SJVUAPCD that installed two pollution-emitting diesel-powered electric generating units without written authorization from SJVUAPCD in violation of Rule 2010.

NCW violated regulations promulgated pursuant to the California SIP involving the two facilities described in the paragraphs above and is therefore subject to federal enforcement under CAA section 110(a). EPA, as authorized by CAA section 113(d), 42 U.S.C. 7413(d), has assessed a civil penalty for these violations. Under CAA section 113(d), 42 U.S.C. 7413(d), the Administrator may issue an administrative order assessing a civil penalty against any person who has violated an applicable requirement of the CAA, including any rule, order, waiver, permit or plan. Proceedings under CAA section 113(d) are conducted in accordance with 40 CFR Part 22.

EPA will not issue an order in this proceeding prior to the close of the public comment period.

#### List of Subjects

Environmental protection.

Dated: September 10, 2012.

#### Bernadette Rappold,

*Director, Special Litigation and Projects Division, Office of Enforcement and Compliance Assurance.*

[FR Doc. 2012-23090 Filed 9-18-12; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9730-1]

### Cross-Media Electronic Reporting: Authorized Program Revision Approval, State of Mississippi

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

**ACTION:** Notice.

**SUMMARY:** This notice announces EPA's approval of the State of Mississippi's request to revise/modify certain of its EPA-authorized programs to allow electronic reporting.

**DATES:** EPA's approval is effective on September 19, 2012.

**FOR FURTHER INFORMATION CONTACT:** Evi Huffer, U.S. Environmental Protection Agency, Office of Environmental Information, Mail Stop 2823T, 1200 Pennsylvania Avenue NW., Washington,

DC 20460, (202) 566-1697, [huffer.evi@epa.gov](mailto:huffer.evi@epa.gov), or Karen Seeh, U.S. Environmental Protection Agency, Office of Environmental Information, Mail Stop 2823T, 1200 Pennsylvania Avenue NW., Washington, DC 20460, (202) 566-1175, [seeh.karen@epa.gov](mailto:seeh.karen@epa.gov).

**SUPPLEMENTARY INFORMATION:** On October 13, 2005, the final Cross-Media Electronic Reporting Rule (CROMERR) was published in the **Federal Register** (70 FR 59848) and codified as part 3 of title 40 of the CFR. CROMERR establishes electronic reporting as an acceptable regulatory alternative to paper reporting and establishes requirements to assure that electronic documents are as legally dependable as their paper counterparts. Subpart D of CROMERR requires that state, tribal or local government agencies that receive, or wish to begin receiving, electronic reports under their EPA-authorized programs must apply to EPA for a revision or modification of those programs and obtain EPA approval. Subpart D provides standards for such approvals based on consideration of the electronic document receiving systems that the state, tribal, or local government will use to implement the electronic reporting. Additionally, § 3.1000(b) through (e) of 40 CFR part 3, subpart D provides special procedures for program revisions and modifications to allow electronic reporting, to be used at the option of the State, Tribe or local government in place of procedures available under existing program-specific authorization regulations. An application submitted under the subpart D procedures must show that the state, tribe or local government has sufficient legal authority to implement the electronic reporting components of the programs covered by the application and will use electronic document receiving systems that meet the applicable subpart D requirements.

On January 14, 2010, the Mississippi Department of Environmental Quality (MDEQ) submitted an application entitled "Regulatory Services Portal/Hazardous Waste Biennial Reporting" for revisions/modifications of its EPA-authorized programs under title 40 CFR. EPA reviewed MDEQ's request to revise/modify its EPA-authorized programs and, based on this review, EPA determined that the application met the standards for approval of authorized program revisions/modifications set out in 40 CFR part 3, subpart D. In accordance with 40 CFR 3.1000(d), this notice of EPA's decision to approve Mississippi's request to revise/modify its following EPA-authorized programs to allow electronic

reporting under 40 CFR parts 51, 61, 70, 261–262, and 264–265 is being published in the **Federal Register**:

Part 52—Requirements for Preparation, Adoption, and Submittal of Implementation Plans;

Part 61—National Emissions Standards for Hazardous Air Pollutants Subpart M—National Emission Standard for Asbestos;

Part 70—State Operating Permit Programs; and

Part 272—Approved State Hazardous Waste Management Programs.

Specifically, EPA has approved the state's revision to its part 272 authorized program for electronic reporting of hazardous waste biennial report information under 40 CFR parts 262.41 and 264.75, for electronic submissions that include a handwritten signature on a separate paper submission report instead of an electronic signature.

MDEQ was notified of EPA's determination to approve its application with respect to the authorized programs listed above.

Dated: September 10, 2012.

**Andrew Battin**,

*Director, Office of Information Collection.*

[FR Doc. 2012–23089 Filed 9–18–12; 8:45 am]

**BILLING CODE 6560–50–P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL–9729–8]

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

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

**ACTION:** Notice.

**SUMMARY:** In accordance with the provisions of Section 1413 of the Safe Drinking Water Act (SDWA), 42 U.S.C. 300g–2, public notice is hereby given that the state of Utah has revised its Public Water System Supervision (PWSS) Program by adopting regulations for the Lead and Copper Short Term Revisions, Long Term 1 Enhanced Surface Water Treatment Rule, the Long Term 2 Enhanced Surface Water Treatment Rule and the Stage 2 Disinfectants and Disinfection Byproducts Rule that correspond to the National Primary Drinking Water Regulations (NPDWR). The EPA has completed its review of these revisions in accordance with the SDWA and proposes to approve them.

Today's approval action does not extend to public water systems in Indian country as defined in 18 U.S.C. 1151. Please see Supplementary Information, Item B.

**DATES:** Any member of the public is invited to submit written comments and/or request a public hearing on this determination by October 19, 2012. Please see Supplementary Information, Item C, for details. Should no timely and appropriate request for a hearing be received, and the Regional Administrator (RA) does not elect to hold a hearing on his own motion, this determination shall become effective October 19, 2012. If a public hearing is requested and granted, then this determination shall not become effective until such time following the hearing as the RA issues an order affirming or rescinding this action.

**ADDRESSES:** Written comments and requests for a public hearing should be addressed to: James B. Martin, Regional Administrator, c/o Robert Clement, Drinking Water Unit (8P–W–DW), U.S. EPA, Region 8, 1595 Wynkoop Street, Denver, CO 80202–1129.

All documents relating to this determination are available for inspection at the following locations: (1) U.S. EPA, Region 8, Drinking Water Unit (7th floor), 1595 Wynkoop Street, Denver, CO 80202–1129; (2) Utah Department of Environmental Quality, Division of Drinking Water, (3rd floor), 195 North 1950 West, Salt Lake City, UT 84116.

**FOR FURTHER INFORMATION CONTACT:** Robert Clement, Drinking Water Unit (8P–W–DW), U.S. EPA, Region 8, 1595 Wynkoop Street, Denver, CO 80202–1129, (303) 312–6653.

**SUPPLEMENTARY INFORMATION:** The EPA approved Utah's application for assuming primary enforcement authority for the PWSS program, pursuant to Section 1413 of the SDWA, 42 U.S.C. 300g–2, and 40 CFR part 142. The Utah Department of Environmental Quality, Division of Drinking Water administers Utah's PWSS program.

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

States with primary PWSS enforcement authority must comply with the requirements of 40 CFR part 142 for maintaining primacy. They must adopt regulations that are at least as stringent as the NPDWRs at 40 CFR parts 141 and 142, as well as adopt all new and revised NPDWRs in order to retain primacy (40 CFR 142.12(a)).

#### B. How does today's action affect Indian country (18 U.S.C. 1151) in Utah?

Utah is not authorized to carry out its PWSS program in Indian country, as that term is defined at 18 U.S.C. 1151. Indian country includes, but is not

limited to, land within the formal Indian Reservations located within or abutting the state of Utah, including the Skull Valley, Paiute, Navajo, Goshute, Ute Mountain, and Northwestern Shoshoni Indian Reservations; Indian country lands within the Uintah and Ouray Indian Reservation; any land held in trust by the United States for an Indian tribe, and any other areas which are "Indian country" within the meaning of 18 U.S.C. 1151.

#### C. Requesting a Hearing

Any request for a public hearing shall include: (1) The name, address, and telephone number of the individual, organization, or other entity requesting a hearing; (2) a brief statement of the requester's interest in the RA's determination and of information that he/she intends to submit at such hearing; and (3) the signature of the requester or responsible official, if made on behalf of an organization or other entity.

Notice of any hearing shall be given not less than fifteen (15) days prior to the time scheduled for the hearing and will be made by the RA in the **Federal Register** and in a newspaper of general circulation in the state. A notice will also be sent to both the person(s) requesting the hearing and the state. The hearing notice will include a statement of purpose, information regarding time and location, and the address and telephone number where interested persons may obtain further information. The RA will issue a final determination upon review of the hearing record.

Frivolous or insubstantial requests for a hearing may be denied by the RA. However, if a substantial request is made within thirty (30) days after this notice, a public hearing will be held.

Please bring this notice to the attention of any persons known by you to have an interest in this determination.

Dated: August 27, 2012.

**Howard M. Cantor**,

*Acting Regional Administrator, Region 8.*

[FR Doc. 2012–23093 Filed 9–18–12; 8:45 am]

**BILLING CODE 6560–50–P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL–9729–7]

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

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

**ACTION:** Notice.