

On October 28, 2013, EPA received the Sierra Club Petition which alleged that WDNR applied an erroneous interpretation of the "routine maintenance, repair, and replacement" exemption for a superheater boiler tube replacement project from 2005, and that the project resulted in a significant net emissions increase triggering New Source Review (NSR). On November 19, 2013, EPA received the Appleton Coated/WPC Petition which alleged that the permit is deficient because it lacks a permit shield from NSR requirements for the 2005 superheater boiler tube replacement project.

On October 14, 2016, the Administrator issued an Order denying both petitions. The Order explains the reasons behind EPA's conclusion.

Dated: November 18, 2016.

**Robert A. Kaplan,**

*Acting Regional Administrator, Region 9.*

[FR Doc. 2016-28880 Filed 11-30-16; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-R09-OAR-2016-0580; FRL-9955-86-Region 9]

### Comment Period Extended: General Permit Under the Federal Indian Country Minor NSR Program

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

**ACTION:** Notice; comment period extended.

**SUMMARY:** The Environmental Protection Agency (EPA) previously provided notice of, and requested public comment on, the EPA's draft general permit for gasoline dispensing facilities for use in Indian country within California pursuant to the Clean Air Act (CAA) Federal Indian Country Minor New Source Review (NSR) program for new and modified minor sources. The EPA is extending the deadline for submitting comments on this action until January 31, 2017. Any person may submit written comments on the draft permit during the public comment period.

**DATES:** Comments will be accepted until January 31, 2017.

**ADDRESSES:** Documents relevant to the above-referenced permit are available for public inspection during normal business hours at the following address: U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105-3901. To arrange for viewing of these documents, call Lisa Beckham at (415) 972-3811. Due to

building security procedures, at least 24 hours advance notice is required.

**FOR FURTHER INFORMATION CONTACT:** Lisa Beckham, EPA Region 9, (415) 972-3811, [beckham.lisa@epa.gov](mailto:beckham.lisa@epa.gov). Key portions of the administrative record for this decision are available through a link at Region 9's Web site, <https://www.epa.gov/caa-permitting/california-tribal-gasoline-permits>, or at [www.regulations.gov](http://www.regulations.gov) (Docket ID # EPA-R09-OAR-2016-0580).

### SUPPLEMENTARY INFORMATION:

#### Extension of Comment Period

On September 30, 2016, the EPA provided notice of, and requested public comment on, the EPA's draft general permit for gasoline dispensing facilities for use in Indian country within California pursuant to the Clean Air Act (CAA) Federal Indian Country Minor New Source Review (NSR) program for new and modified minor sources at 40 CFR 49.151 through 49.161. See also 81 FR 69814 (Oct. 7, 2016).

The EPA is extending the deadline for submitting comments on this action until January 31, 2017. Any person may submit written comments on the draft permit during the public comment period. These comments must raise any reasonably ascertainable issue with supporting arguments by the close of the public comment period. All written comments on the draft general permit must be received or postmarked by January 31, 2017. Comments must be sent or delivered in writing to Lisa Beckham at one of the following addresses:

*Email:* [R9airpermits@epa.gov](mailto:R9airpermits@epa.gov).

*Online Docket:* [www.regulations.gov](http://www.regulations.gov), Docket ID: EPA-R09-OAR-2016-0580.

*U.S. Mail:* Lisa Beckham (AIR-3), U.S. EPA Region 9, 75 Hawthorne Street, San Francisco, CA 94105-3901.

Please see our previous notice for additional information about this action, which is available through the online docket here: <https://www.regulations.gov/document?D=EPA-R09-OAR-2016-0580-0005>.

As detailed in our previous notice, the EPA has scheduled a public hearing for this action on November 30, 2016 from 2:00 to 3:30 p.m. at U.S. EPA Region 9, 1st Floor Conference Center, 75 Hawthorne Street, San Francisco, California. Please note that our previous notice for this action announced a deadline of November 16, 2016 for requesting an additional public hearing; this deadline has passed and is not being extended.

The draft general permit and other supporting information about this action are available through this Web page:

<https://www.epa.gov/caa-permitting/california-tribal-gasoline-permits>. If you have questions, or if you wish to obtain further information, please contact Lisa Beckham at (415) 972-3811, toll-free at (866) 372-9378, via email at [R9airpermits@epa.gov](mailto:R9airpermits@epa.gov), or at the mailing address above. If you would like to be added to our mailing list to receive future information about this draft permit decision or other permit decisions issued by the EPA Region 9, please contact Lisa Beckham, or visit the EPA Region 9's Web site at <http://www2.epa.gov/caa-permitting/tribal-nsr-permits-region-9>.

### Summary of Proposed Action

The draft general permit is for a single source category, gasoline dispensing facilities (GDFs), and would be available in certain areas of Indian country that are within the geographical boundaries of California. This includes areas located in an Indian reservation or in another area of Indian country (as defined in 18 U.S.C. 1151) over which an Indian tribe, or the EPA, has demonstrated that the tribe has jurisdiction and where there is no EPA-approved minor NSR program in place. The EPA is proposing this general permit as an option for CAA minor NSR preconstruction permitting to help streamline the EPA's permitting of certain minor sources that construct or modify in Indian country and belong to the GDF source category.

The primary pollutant of concern for GDFs that may use this general permit is volatile organic compounds (VOC), which are emitted from storage tanks and gasoline dispensing units at GDFs. Some GDFs may also have emergency engines, but only those sources with emergency engines that are exempt from minor NSR permitting requirements may use this general permit. Emissions of all other regulated NSR pollutants from new or modified GDF sources that may use the general permit are expected to be below the minor NSR permitting thresholds in 40 CFR 49.153.

This draft general permit regulates VOC emissions from GDFs, and includes emission limitations that require each GDF to control emissions from storage tanks during unloading of the gasoline cargo from the tanker truck, using what are known as Stage I controls. In addition, the draft general permit requires GDFs in ozone nonattainment areas to limit VOC emissions resulting from vehicle refueling by recovering vapors displaced from the vehicle fuel tank, using pump-based controls known as Stage II controls. There are also limits on the amount of gasoline each GDF can

dispense in a 12-month period: 25,000,000 million gallons in ozone attainment areas, and marginal and moderate ozone nonattainment areas; and 15,000,000 gallons in serious, severe, and extreme ozone nonattainment areas. The emission limitations in the draft general permit are expected to limit emissions of VOC from a new or modified GDF to less than 30 tons per year (tpy) in attainment areas and marginal and moderate ozone nonattainment areas and 8 tpy in serious, severe, and extreme ozone nonattainment areas. The detailed emission limitations are included in the draft permit and discussed in detail in our Technical Support Document for this draft permit, and are available for review here: <https://www.epa.gov/caa-permitting/california-tribal-gasoline-permits>.

Please bring the foregoing notice to the attention of all persons who would be interested in this matter.

Dated: November 22, 2106.

**Elizabeth J. Adams,**

*Acting Director, Air Division, Region IX.*

[FR Doc. 2016-28883 Filed 11-30-16; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2016-0108; FRL-9955-33-OEI]

### Information Collection Request Submitted to OMB for Review and Approval; Comment Request; Notice of Supplemental Distribution of a Registered Pesticide Product

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

**ACTION:** Notice.

**SUMMARY:** The Environmental Protection Agency has submitted an information collection request (ICR), "Notice of Supplemental Distribution of a Registered Pesticide Product" (EPA ICR No. 0278.12, OMB Control No. 2070-0044) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). This is a proposed extension of the ICR, which is currently approved through November 30, 2016. Public comments were previously requested via the **Federal Register** (81 FR 19172) on April 4, 2016 during a 60-day comment period. This notice allows for an additional 30 days for public comments. A fuller description of the ICR is given below, including its estimated burden and cost to the public. 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.

**DATES:** Additional comments may be submitted on or before January 3, 2017.

**ADDRESSES:** Submit your comments, referencing Docket ID Number EPA-HQ-OPP-2016-0108, to (1) EPA online using [www.regulations.gov](http://www.regulations.gov) (our preferred method), or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW., Washington, DC 20460, and (2) OMB via email to [oir\\_submission@omb.eop.gov](mailto:oir_submission@omb.eop.gov). Address comments to OMB Desk Officer for EPA.

EPA's policy is that all comments received will be included in the public docket without change including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

**FOR FURTHER INFORMATION CONTACT:**

Jeffrey Bryan, Field and External Affairs Division (7506P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001; telephone number: (703) 347-8782; email address: [bryan.jeffrey@epa.gov](mailto:bryan.jeffrey@epa.gov).

**SUPPLEMENTARY INFORMATION:**

Supporting documents which explain in detail the information that the EPA will be collecting are available in the public docket for this ICR. The docket can be viewed online at <http://www.regulations.gov> or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave. NW., Washington, DC. The telephone number for the Docket Center is 202-566-1744. For additional information about EPA's public docket, visit <http://www.epa.gov/dockets>.

**Abstract:** This information collection activity provides the EPA with notification of supplemental registration of distributors of pesticide products. EPA is responsible for the regulation of pesticides as mandated by the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended. Section 3(e) of FIFRA (see 7 U.S.C. 136a(e)), allows pesticide registrants to distribute or sell a registered pesticide product under a different name instead of or in addition to the name under the original registration. Such distribution and sale is termed "supplemental distribution" and the product is termed a "distributor product." EPA requires the pesticide registrant to submit a supplemental statement (EPA Form 8570-5, Notice of

Supplemental Distribution of a Registered Pesticide Product) when the registrant has entered into an agreement with a second company that will distribute the registrant's product under the second company's name and product name.

**Burden statement:** The total estimated annual respondent paperwork burden to comply with this information collection activity is 603 hours, or about 19 minutes per response. This estimate includes the time needed to review instructions; utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to respond to a collection of information; search existing data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

**Form Numbers:** EPA Form 8750-5.

**Respondents/affected entities:** 1885.

**Respondent's obligation to respond:**

This information is required to be submitted pursuant to Section 3(e) of FIFRA, as amended. Regulations pertaining to supplemental distribution of pesticide products are contained in Title 40 CFR part 152.132.

**Estimated number of respondents:** 1885.

**Frequency of response:** On occasion.

**Total estimated burden:** 603 hours (per year). Burden is defined at 5 CFR 1320.03(b).

**Total estimated cost:** \$54,463 (per year), includes \$0.00 annualized capital or operation & maintenance costs.

**Changes in the Estimates:** There is an overall increase of 216 hours in the total estimated respondent burden compared with the ICR currently approved by OMB. This increase is due to the increase in the number of applications the Agency expects to receive in the next 3 years. EPA had expected to receive about 1,451 notice submissions annually over the past three years. Based on the number of submissions received annually over that period, the Agency now expects to receive about 1,885 notice submissions annually over the next 3 years. This change is an adjustment to reflect the observed annual increase in submissions.

**Courtney Kerwin,**

*Director, Regulatory Support Division.*

[FR Doc. 2016-28882 Filed 11-30-16; 8:45 am]

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