

Air Quality Permit for New or Modified Minor Source Concrete Batch Plants in Indian Country (“Concrete Batch Plants General Permit”) for Window Rock Airport, Navajo Nation Crushing/Screening Operation, CEMEX—Higley Plant, Oscar Renda Contracting, Inc., Portable Concrete Batch Plant Facility, and Core Ready Mix Higley Plant (“Sources”). These approvals authorized the construction and operation of these Sources under the Tribal Minor NSR Program.

DATES: The Requests for Coverage were approved by the EPA on various dates. See the **SUPPLEMENTARY INFORMATION** section. Pursuant to section 307(b)(1) of the Clean Air Act, judicial review of this final agency decision, to the extent it is available, may be sought by filing a petition for review in the United States Court of Appeals for the Ninth Circuit no later than November 9, 2026.

ADDRESSES: The EPA has established dockets for these actions under Docket ID Nos. EPA–R09–OAR–2022–0095, EPA–R09–OAR–2022–0118, EPA–R09–OAR–2018–0699, EPA–R09–OAR–2019–0598, EPA–R09–OAR–2020–0366,

EPA–R09–OAR–2022–0654, and EPA–R09–2025–0301. All documents in the dockets are listed on the <https://www.regulations.gov> website. Although listed in an index, some information is not publicly available, *e.g.*, Confidential Business Information (CBI) 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 through <https://www.regulations.gov>, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information. If you need assistance in a language other than English or if you are a person with a disability who needs a reasonable accommodation at no cost to you, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: Catherine Valladolid, EPA Region 9; telephone number: (415) 947–4103; email address: valladolid.catherine@epa.gov. The EPA’s final approval decisions, the Technical Support

Documents for these actions, and all other supporting information are available through www.regulations.gov under the Docket ID Nos listed in the **ADDRESSES** section.

SUPPLEMENTARY INFORMATION:

Notice of Final Action

The EPA approved seven Requests for Coverage under the Concrete Batch Plants General Permit¹ submitted by the Permittees. The Requests for Coverage under the Concrete Batch Plants General Permit were approved on the dates listed in Table 1. These approvals pertain to the construction and operation of the Sources, all of which are or were concrete batch plants, located in Indian Country. The EPA issued the approvals pursuant to the provisions of Clean Air Act sections 110(a) and 301(d) and the EPA’s Tribal Minor NSR Program at 40 CFR 49.151 through 49.165. The EPA based its approvals on its determinations that the Sources met the criteria qualifying them for coverage and that the Sources were eligible for coverage under the Concrete Batch Plants General Permit.

TABLE 1—SOURCE APPROVALS UNDER THE CONCRETE BATCH PLANTS GENERAL PERMIT

Source	Location	Docket ID	Approval date
Navajo Nation Crushing/Screening Operation	McKinley and San Juan Counties, NM.	EPA–R09–OAR–2022–0095	April 18, 2018.
Window Rock Airport ²	Window Rock, AZ	EPA–R09–OAR–2022–0118	April 18, 2018.
CEMEX—Higley Plant	Mesa, AZ	EPA–R09–OAR–2018–0699	December 26, 2018.
Oscar Renda Contracting, Inc. Portable Concrete Batch Plant Facility.	Near Newcomb, AZ	EPA–R09–OAR–2019–0598	December 30, 2019.
Window Rock Airport ³	Window Rock, AZ	EPA–R09–OAR–2020–0366	September 17, 2020.
Window Rock Airport ⁴	Window Rock, AZ	EPA–R09–OAR–2022–0654	October 10, 2022.
Core Ready Mix Higley Plant	Near Mesa, AZ	EPA–R09–OAR–2025–0301	November 21, 2025.

The EPA’s Clean Air Act approvals for these Sources are final agency actions for purposes of judicial review only for the issue of whether the Sources qualify for coverage under the Concrete Batch Plants General Permit (40 CFR 49.156(e)(6)).

¹ The Concrete Batch Plants General Permit was issued by the EPA under the Tribal Minor NSR Program on October 14, 2016, and the permit became effective November 14, 2016 (81 FR 70944, October 14, 2016). This permit is available on <https://www.regulations.gov> under Document ID EPA–HQ–OAR–2011–0151–0156.

² EPA has approved three Requests for Coverage under the Concrete Batch Plants General Permit for Window Rock Airport. This first action approved the temporary operation of a concrete batch plant for a period of 30 days for “Phase I” of modifications planned at the Window Rock Airport.

³ This action approved the temporary operation of a concrete batch plant for a period of 45 days for “Phase II” of modifications planned at the Window Rock Airport.

⁴ This action re-approved the temporary operation of a concrete batch plant for a period of 45 days for

(Authority: 42 U.S.C. 7401 *et seq.*)

Dated: August 26, 2026.

Anita Lee,

Director, Air and Radiation Division, Region IX.

[FR Doc. 2026–18285 Filed 9–8–26; 8:45 am]

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the “Phase II” of modifications at the Window Rock Airport. Phase II had been previously approved on September 17, 2020; however, because FNF Construction, Inc. failed to commence construction at Window Rock Airport within 18 months of the approval date, the approval expired on March 17, 2022. FNF Construction, Inc. applied for a new approval of Phase II on July 26, 2022.

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OECA–2024–0420; FRL–12264.1–02–OECA]

U.S. Environmental Protection Agency (EPA) Contractor and Subcontractor Access to Confidential Business Information (CBI) Submitted Under Clean Air Act (CAA), Act To Prevent Pollution From Ships (APPS), and American Innovation and Manufacturing Act (AIM)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The United States Environmental Protection Agency’s (EPA’s) Office of Enforcement and Compliance Assurance (OECA) intends to authorize a contractor and several subcontractors to access information

that will be submitted to the EPA under the Clean Air Act (CAA), the Act to Prevent Pollution from Ships (APPS), and the American Innovation and Manufacturing Act (AIM) that may be claimed as, or may be determined to be, confidential business information (CBI).

DATES: Comments must be received on or before September 14, 2026. The contractor's and subcontractors' access to information collected under the CAA, APPS, AIM will begin on September 15, 2026.

ADDRESSES: You may send comments, identified by Docket ID No. EPA HQ-OECA-2024-0420, by any of the following methods:

- *Federal eRulemaking Portal:* <https://www.regulations.gov/> (our preferred method). Follow the online instructions for submitting comments.

- *Email:* docket.oeca@epa.gov. Include Docket ID No. EPA HQ-OECA-2024-0420 in the subject line of the message.

Instructions: All submissions received must include the Docket ID No. for this rulemaking. Comments received may be posted without change to <https://www.regulations.gov/>, including any personal information provided.

FOR FURTHER INFORMATION CONTACT: Griffith Brown, Office of Enforcement and Compliance Assurance (OECA), Office of Civil Enforcement (OCE), Air Enforcement Division (AED), (Mail Code 8MSU), Environmental Protection Agency, 1595 Wynkoop St., Denver, CO 80202; telephone number: (202) 250-8551; email address: brown.griffith@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Does this notice apply to me?

This action is directed to the general public. However, this action may be of particular interest to certain parties, including the following: owners and operators of stationary and mobile sources subject to the CAA including, but not limited to, State Implementation Plans (SIPs), hazardous air pollutants (HAPs, MACT Rules) under Section 112, permits including New Source Review and Prevention of Significant Deterioration (NSR/PSD), New Source Performance Standards (NSPS), National Emission Standards for Hazardous Air Pollutants (NESHAP), and Prevention of Accidental Releases under Section 112(r); motor vehicle manufacturers and importers; engine manufacturers and importers; motor vehicle fuel and fuel additive producers and importers; manufacturers, importers, users and distributors of hydrofluorocarbons (HFCs); manufacturers, importers and

distributors of motor vehicle and engine emission control equipment and parts; crude oil, natural gas and renewable fuel producers, petroleum refiners, electric power generation facilities, distributors or users who store volatile organic liquids, chemical, pulp and paper manufacturers, non-metallic mineral processors, and any other stationary and mobile source parties subject to the regulations found in 40 CFR parts 51, 52, 60, 61, 63–80, 82, 84–86, 89–92, 94, 98, 600, 1033, 1036, 1037, 1039, 1042, 1043, 1045, 1048, 1051, 1054, 1060, 1065, 1068, and 1090.

This **Federal Register** notice may be of particular relevance to parties that have submitted data to the EPA under the above-listed regulations. Because other parties may also be interested, the EPA has not attempted to describe all the specific parties that may be affected by this action. If you have further questions regarding the applicability of this action to a particular party, please contact the person listed in **FOR FURTHER INFORMATION CONTACT**.

II. How can I get copies of this document and other related information?

A. Electronically

The EPA has established a public docket for this **Federal Register** notice under Docket ID No. EPA-HQ-OECA-2024-0420.

All documents in the docket are identified in the docket index available at <http://www.regulations.gov>. Although listed in the index, some information is not publicly available, such as CBI or other information for which disclosure is restricted by statute.

B. EPA Docket Center

Materials listed under Docket ID No. EPA-HQ-OECA-2024-0420 will be available for public viewing at the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Avenue NW, Washington, DC 20004. The EPA Docket Center 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 Reading Room is (202) 566-1744, and the telephone number for the OECA Docket is (202) 566-1744.

III. Description of Programs and Potential Disclosure of Information Claimed as CBI to Contractor and Subcontractors

OECA has responsibility for protecting public health and the environment by enforcing standards for air pollution. In order to implement various CAA, APPS, and AIM programs,

OECA collects compliance reports and other information from the regulated industry. Occasionally, the information submitted to, or obtained by, the EPA is claimed to be CBI by persons submitting data to the EPA. Information submitted under such a claim is handled in accordance with the EPA's regulations at 40 CFR part 2, subpart B, and in accordance with the EPA procedures that are consistent with those regulations. When the EPA has determined that disclosure of information claimed as CBI to EPA contractors or subcontractors is necessary, the corresponding contract must address the appropriate use and handling of the information by the EPA contractor and subcontractors and the EPA contractor and subcontractors must require its personnel who require access to information claimed as CBI to sign written non-disclosure agreements before they are granted access to data.

In accordance with 40 CFR 2.301(h), the EPA has determined that EPA contractor Eastern Research Group, Incorporated (ERG), 14555 Avion Parkway, Suite 200, Chantilly, VA 20151, and ERG subcontractors James J. Carroll, CPA, Clearstone Engineering Ltd.; Process Profiles; and Matrix New World Engineering (collectively referred to as "subcontractors" in this notice) require access to CBI submitted to the EPA under the CAA, APPS, and AIM for the work they perform under Contract Number 68HERL26A0022. We are providing notice and an opportunity to comment on their access to information claimed as CBI. We are issuing this **Federal Register** notice to inform all affected submitters that we plan to grant access to material that may be claimed as CBI to ERG and its subcontractors on a need-to-know basis.

Under Contract Number 68HERL26A0022, ERG provides enforcement support for the EPA's regulatory and enforcement activities for the Air Enforcement Division (AED), including field inspections, investigations, audits, and other CAA regulatory and enforcement support that involve access to information claimed as CBI. ERG also employs subcontractors, who support these activities, under the above-listed contract. ERG and its subcontractors require access to information claimed as CBI to support EPA enforcement activities described above. Access to data, including information claimed as CBI, will commence six days after the date of publication of this notice in the **Federal Register**, and will continue until June 26, 2031, located at EPA Headquarters and ERG's site located at 2677 Prosperity Avenue, Suite 450, Fairfax,

VA 22031–4928. If the contract and associated subcontracts are extended, this access will continue for the remainder of the ERG contract without further notice. If the contract expires prior to June 26, 2031, the access will cease at that time. If ERG employs additional subcontractors to support the EPA on a regular basis or on a limited or one-time basis under the above-listed contract, and those subcontractors require access to CBI, the EPA will notify affected companies of the contemplated disclosure and provide them with an opportunity to comment by either sending them a letter or by publishing an additional notice in the **Federal Register**.

Parties who wish to obtain further information about this **Federal Register** notice, or about OECA's disclosure of information claimed as CBI to ERG and its subcontractors, may contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

Dated: August 28, 2026.

Meetu Kaul,

Director, Air Enforcement Division.

[FR Doc. 2026–18289 Filed 9–8–26; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[EPA–R09–OAR–2022–0120, EPA–R09–OAR–2024–0476, and EPA–R09–OAR–2024–0555; FRL–13550–01–R9]

Approval of Clean Air Act General Permit Requests for Coverage for New or Modified Minor Source Stone Quarrying, Crushing, and Screening Facilities in Indian Country

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of final action.

SUMMARY: On various dates, the U.S. Environmental Protection Agency (EPA) issued approvals to Fisher Sand & Gravel—New Mexico, Inc., PG&E, LLC, and Archer Western (“Permittees”) under the Clean Air Act’s Tribal Minor New Source Review (NSR) Program. The EPA approved these Requests for Coverage under the General Air Quality Permit for New or Modified Minor Source Stone Quarrying, Crushing, and Screening Facilities in Indian Country (“SQCS General Permit”) for Grey Mesa Gravel Pit, Ehrenberg Quarry, and San Juan Lateral Water Treatment Plant Rock Crusher (“Sources”). These approvals authorized the construction and operation of these Sources under the Tribal Minor NSR Program.

DATES: The Requests for Coverage were approved by the EPA on various dates. See the **SUPPLEMENTARY INFORMATION** section. Pursuant to section 307(b)(1) of the Clean Air Act, judicial review of this final agency decision, to the extent it is available, may be sought by filing a petition for review in the United States Court of Appeals for the Ninth Circuit no later than November 9, 2026.

ADDRESSES: The EPA has established dockets for these actions under Docket ID Nos. EPA–R09–OAR–2022–0120, EPA–R09–OAR–2024–0476, and EPA–R09–OAR–2024–0555. All documents in the dockets are listed on the <https://www.regulations.gov> website. Although listed in an index, some information is not publicly available, e.g., Confidential Business Information (CBI) 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 through <https://www.regulations.gov>, or please contact

the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information. If you need assistance in a language other than English or if you are a person with a disability who needs a reasonable accommodation at no cost to you, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: Catherine Valladolid, EPA Region 9; telephone number: (415) 947–4103; email address: valladolid.catherine@epa.gov. The EPA’s final approval decisions, the Technical Support Documents for these actions, and all other supporting information are available through www.regulations.gov under the Docket ID Nos listed in the **ADDRESSES** section.

SUPPLEMENTARY INFORMATION:

Notice of Final Action

The EPA approved three Requests for Coverage under the SQCS General Permit¹ submitted by the Permittees. The Requests for Coverage under the SQCS General Permit were approved on the dates listed in Table 1. These approvals pertain to the construction and operation of the Sources, all of which are or were stationary and portable stone quarrying, rock crushing, and screening plants, located in Indian Country. The EPA issued the approvals pursuant to the provisions of Clean Air Act sections 110(a) and 301(d) and the EPA’s Tribal Minor NSR Program at 40 CFR 49.151 through 49.165. The EPA based its approvals on its determinations that the Sources met the criteria qualifying them for coverage and that the Sources were eligible for coverage under the SQCS General Permit.

TABLE 1—SOURCE APPROVALS UNDER THE SQCS GENERAL PERMIT

Source	Location	Docket ID	Approval date
Grey Mesa Gravel Pit	San Juan County, NM	EPA–R09–OAR–2022–0120	November 5, 2015.
Ehrenberg Quarry	La Paz County, AZ	EPA–R09–OAR–2024–0476	February 27, 2025. ²
San Juan Lateral Water Treatment Plant Rock Crusher	San Juan County, NM	EPA–R09–OAR–2024–0555	May 21, 2025. ³

The EPA’s Clean Air Act approvals for these Sources are final agency actions for purposes of judicial review only for

the issue of whether the Sources qualify for coverage under the SQCS General Permit (40 CFR 49.156(e)(6)).

(Authority: 42 U.S.C. 7401 *et seq.*)

¹ The SQCS General Permit was issued by the EPA under the Tribal Minor NSR Program on May 1, 2015, and the permit became effective June 1, 2015 (80 FR 25068, May 1, 2015). This permit is available on <https://www.regulations.gov> under Document ID EPA–HQ–OAR–2011–0151–0134.

² On September 29, 2025, the EPA terminated the Ehrenberg Quarry’s coverage under the SQCS

General Permit following receipt on August 6, 2025, of a Notification of Closure from PG&E, LLC, the permittee (Application #2025–019–TERMINATION). See Docket ID EPA–R09–OAR–2024–0476 at <https://www.regulations.gov>.

³ On December 17, 2025, the EPA terminated the San Juan Lateral Water Treatment Plant Rock Crusher’s coverage under the SQCS General Permit

following receipt December 8, 2025, of a Notification of Closure from Archer Western, the permittee (Application #2025–020–TERMINATION). See Docket ID EPA–R09–OAR–2024–0555 at <https://www.regulations.gov>.