

except Federal holidays. Sign in at the receptionist's desk on the 21st floor.

• *Fax:* 202–693–9441.

*Instructions:* All submissions must include “MSHA” and “RIN 1219–AB72” or “Docket No. MSHA–2014–0009.” Do not include personal information that you do not want publicly disclosed; MSHA will post all comments without change to <http://www.regulations.gov> and <http://www.msha.gov/currentcomments.asp>, including any personal information provided. For additional instructions for participation in Public Hearings on this rulemaking, see the “Public Hearings” heading of the **SUPPLEMENTARY INFORMATION** section of this document.

*Docket:* For access to the docket to read comments received, go to <http://www.regulations.gov> or <http://www.msha.gov/currentcomments.asp>. To read background documents, go to <http://www.regulations.gov>. Review the docket in person at MSHA, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350,

Arlington, Virginia, between 9:00 a.m. and 5:00 p.m. Monday through Friday, except Federal Holidays. Sign in at the receptionist's desk on the 21st floor.

*Email notification:* To subscribe to receive an email notification when MSHA publishes rules, program information, instructions, and policy, in the **Federal Register**, go to <http://www.msha.gov/subscriptions/subscribe.aspx>.

**FOR FURTHER INFORMATION CONTACT:** Sheila McConnell, Acting Director, Office of Standards, Regulations, and Variances, MSHA, at [mcconnell.sheila.a@dol.gov](mailto:mcconnell.sheila.a@dol.gov) (email); 202–693–9440 (voice); or 202–693–9441 (facsimile).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

On July 31, 2014, MSHA published a proposed rule (79 FR 44494) to amend its civil penalty regulation to simplify the criteria, which will promote consistency, objectivity, and efficiency

in the proposed assessment of civil penalties and facilitate the resolution of enforcement issues. The proposal would place a greater emphasis on the more serious safety and health conditions and provide improved safety and health for miners. MSHA is also proposing alternatives that would address the scope and applicability of its civil penalty regulation.

In response to requests from the public, MSHA held public hearings on December 4, 2014, in Arlington, Virginia, and on December 9, 2014, in Denver, Colorado. The post-hearing comment period was scheduled to close on January 9, 2015.

##### **II. Public Hearings**

In response to requests from the public, MSHA will hold two additional public hearings on the proposed rule to provide the public an opportunity to present their views on this rulemaking. MSHA is holding the hearings on the following dates at the locations indicated:

Date	Location	Contact No.
Thursday, February 5, 2015 .....	Sheraton Birmingham Hotel, 2101 Richard Arrington Jr. Boulevard North, Birmingham, AL 35203.	205–324–5000
Thursday, February 12, 2015 .....	Embassy Suites Chicago—Downtown, 600 N. State Street, Chicago, IL 60654 .....	312–943–3800

The hearings will begin with an opening statement from MSHA, followed by oral presentations from members of the public. The public hearings will begin at 9:00 a.m. and end no later than 5:00 p.m., or earlier if the last person presenting testimony has spoken.

Persons and organizations wishing to speak are encouraged to notify MSHA in advance for scheduling purposes. Persons do not have to make a written request to speak; however, MSHA will give priority to persons who have notified us, in advance, of their intent to speak and will provide others an opportunity to present oral testimony if time allows. MSHA requests that parties making presentations at the hearings submit them no later than five days prior to the hearing. Testimony, presentations, and accompanying documentation will be included in the rulemaking record.

The hearings will be conducted in an informal manner. Formal rules of evidence and cross examination will not apply. The hearing panel may ask questions of speakers and speakers may ask questions of the hearing panel. Verbatim transcripts of the proceedings will be prepared and made a part of the

rulemaking record. Copies of the transcripts will be available to the public on <http://www.regulations.gov> and on MSHA's Web site at <http://www.msha.gov/tscripts.htm>.

Commenters are requested to be specific in their comments and submit detailed rationale and supporting documentation for any comment or suggested alternative as MSHA cannot sufficiently evaluate general comments. All comments must be received or postmarked by March 12, 2015.

Dated: December 23, 2014.

**Joseph A. Main,**

*Assistant Secretary of Labor for Mine Safety and Health.*

[FR Doc. 2014–30578 Filed 12–30–14; 8:45 am]

**BILLING CODE 4510–43–P**

#### **ENVIRONMENTAL PROTECTION AGENCY**

##### **40 CFR Parts 50, 51, 52, 53, and 58**

[EPA–HQ–OAR–2008–0699; FRL–9921–26–OAR]

**RIN 2060–AP38**

##### **National Ambient Air Quality Standards for Ozone**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Announcement of public hearings.

**SUMMARY:** The Environmental Protection Agency (EPA) is announcing three public hearings for the proposed rule titled, “National Ambient Air Quality Standards for Ozone,” that was published in the **Federal Register** on December 17, 2014. The hearings will be held in Washington, DC, Arlington, Texas, and Sacramento, California.

Based on its review of the air quality criteria for ozone (O<sub>3</sub>) and related photochemical oxidants and national ambient air quality standards (NAAQS) for O<sub>3</sub>, the EPA proposes to make revisions to the primary and secondary NAAQS for O<sub>3</sub> to provide requisite

protection of public health and welfare, respectively. The EPA is proposing to revise the primary standard to a level within the range of 0.065 to 0.070 parts per million (ppm), and to revise the secondary standard to within the range of 0.065 to 0.070 ppm, which air quality analyses indicate would provide air quality, in terms of 3-year average W126 index values, at or below a range of 13–17 ppm-hours. The EPA proposes to make corresponding revisions in data handling conventions for O<sub>3</sub> and conforming changes to the Air Quality Index; to revise regulations for the Prevention of Significant Deterioration program to add a transition provision for certain applications; and to propose schedules and convey information related to implementing any revised standards. The EPA is proposing changes to the O<sub>3</sub> monitoring seasons, the Federal Reference Method (FRM) for monitoring O<sub>3</sub> in the ambient air, Federal Equivalent Method procedures for testing, and the Photochemical Assessment Monitoring Stations network.

Along with proposing exceptional event schedules related to implementing any revised O<sub>3</sub> standards, the EPA is proposing to apply this same schedule approach to other future revised NAAQS and to remove obsolete regulatory language for expired exceptional event deadlines. The EPA is proposing to make minor changes to the procedures and time periods for evaluating potential FRMs and equivalent methods (including making the requirements for nitrogen dioxide consistent with the requirements for O<sub>3</sub>) and to remove an obsolete requirement for the annual submission of documentation by manufacturers of certain particulate matter monitors.

**DATES:** The public hearings will be held on January 29, 2015, in Washington, DC and Arlington, Texas, and on February 2, 2015, in Sacramento, California. Please refer to **SUPPLEMENTARY INFORMATION** for additional information on the public hearings.

**ADDRESSES:** The hearings will be held at the following locations:

1. Washington: EPA, WJC East Building, Room 1153, 1201 Constitution Avenue NW., Washington, DC. Identification is required. If your driver's license is issued by Alaska, American Samoa, Arizona, Kentucky, Louisiana, Maine, Massachusetts, Minnesota, Montana, New York, Oklahoma, or the state of Washington, you must present an additional form of identification to enter (see **SUPPLEMENTARY INFORMATION** for additional information on this location).

2. Sacramento: California Air Resources Board, Byron-Sher Auditorium, 1001 "I" Street, Sacramento, CA 95814. Commenters will be required to sign in and show valid picture identification to security staff upon entering.

3. Arlington: Arlington City Hall, Arlington Municipal Building, 101 W. Abram Street, Arlington, Texas 76010.

Written comments on the proposed rule may also be submitted to the EPA electronically, by mail, by facsimile, or through hand delivery/courier. Please refer to the proposed rule for the addresses and detailed instructions.

A complete set of documents related to the proposed rule is available for public inspection at the EPA Docket Center, located at Docket ID No. EPA–HQ–OAR–2008–0699, EPA, WJC West Building, Room 3334, 1301 Constitution Avenue 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. A reasonable fee may be charged for copying. Documents are also available through the electronic docket system at [www.regulations.gov](http://www.regulations.gov).

The EPA Web site for the rulemaking, which includes the proposal and information about the public hearings, can be found at <http://www.epa.gov/glo/actions.html>.

**FOR FURTHER INFORMATION CONTACT:** If you would like to speak at the public hearings or have questions concerning the public hearings, please contact Ms. Eloise Shepherd, Office of Air Quality Planning and Standards, Health and Environmental Impacts Division, Environmental Protection Agency, Research Triangle Park, NC 27711; telephone: (919) 541–5507; fax number: (919) 541–0804; email address: [shepherd.eloise@epa.gov](mailto:shepherd.eloise@epa.gov).

Questions concerning the proposed rule should be addressed to Ms. Susan Stone, Office of Air Quality Planning and Standards, Health and Environmental Impacts Division, Mail Code: C504–06, Research Triangle Park, NC 27711; telephone: (919) 541–1146; email address: [stone.susan@epa.gov](mailto:stone.susan@epa.gov).

**SUPPLEMENTARY INFORMATION:** The proposed rule for which the EPA is holding the public hearings was published in the **Federal Register** on December 17, 2014 (79 FR 75234), and is available at [www.epa.gov/glo/actions.html](http://www.epa.gov/glo/actions.html). The public hearings will provide interested parties the opportunity to present data, views, or arguments concerning the proposed rule. The EPA may ask clarifying questions during the oral presentations, but will not respond to the

presentations at that time. Written statements and supporting information submitted during the comment period will be considered with the same weight as any oral comments and supporting information presented at the public hearings. Written comments must be postmarked by the last day of the comment period, March 17, 2015, as specified in the proposed rule.

The three public hearings will be held in Washington, DC; Arlington, Texas; and Sacramento, California. The public hearings will begin each day at 9:00 a.m. (local time) and continue until 7:30 p.m. (local time). The EPA will make every effort to accommodate all speakers that arrive and register before 7:30 p.m. The EPA is scheduling lunch breaks from 12:30 p.m. until 2:00 p.m. Please note that the Washington, D.C. hearing is being held at a U.S. government facility. Individuals planning to attend the Washington, D.C. hearing should be prepared to show valid picture identification to the security staff in order to gain access to the building. The REAL ID Act, passed by Congress in 2005, established new requirements for entering federal facilities. These requirements took effect July 21, 2014. If your driver's license is issued by Alaska, American Samoa, Arizona, Kentucky, Louisiana, Maine, Massachusetts, Minnesota, Montana, New York, Oklahoma, or the state of Washington, you must present an additional form of identification to enter the federal building in Washington, DC where the public hearing will be held. Acceptable alternative forms of identification include federal employee badges, passports, enhanced driver's licenses, and military identification cards. In addition, you will need to obtain a property pass for any personal belongings you bring with you. Upon leaving the building, you will be required to return this property pass to the security desk. No large signs will be allowed in the building, cameras may only be used outside of the building and demonstrations will not be allowed on federal property for security reasons. Individuals planning to attend the public hearing in Sacramento, California will also be required to sign in and show valid picture identification to security staff in order to gain access to the building.

If you would like to present oral testimony at the hearings, please notify Ms. Eloise Shepherd, U.S. EPA, Office of Air Quality Planning and Standards, Mail Code: C504–02, 109 T.W. Alexander Drive, Research Triangle Park, NC 27711; telephone: (919) 541–5507; fax: (919) 541–0804; email address: [shepherd.eloise@epa.gov](mailto:shepherd.eloise@epa.gov)

(preferred method for registering). Ms. Shepherd will arrange a general time slot for you to speak. The EPA will make every effort to follow the schedule as closely as possible on the day of the hearings.

Oral testimony will be limited to 5 minutes for each commenter to address the proposed revisions. The EPA will not provide audiovisual equipment for presentations unless we receive special requests in advance. Commenters should notify Ms. Shepherd if they will need specific equipment. Commenters should notify Ms. Shepherd if they need specific translation services for non-English speaking commenters. The EPA encourages commenters to provide written versions of their oral testimonies either electronically on computer disk or CD-ROM or in paper copy.

The hearing schedules, including lists of speakers, will be posted at [www.epa.gov/glo/actions.html](http://www.epa.gov/glo/actions.html) prior to the hearings. Verbatim transcripts of the hearings and written statements will be included in the rulemaking docket.

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

The EPA has established the official public docket for the proposed rule under Docket ID No. EPA-HQ-OAR-2008-0699. The EPA has also developed a Web site for the proposed rule at [www.epa.gov/glo/actions.html](http://www.epa.gov/glo/actions.html). Please refer to the proposed rule (79 FR 75234, December 17, 2014) for detailed information on accessing information related to the proposed rule.

Dated: December 23, 2014.

**Mary E Henigin,**

*Acting Director, Office of Air Quality Planning and Standards.*

[FR Doc. 2014-30688 Filed 12-30-14; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R06-OAR-2013-0542; FRL-9921-09-Region 6]

#### Approval and Promulgation of Air Implementation Plans; Texas; Revisions to the New Source Review State Implementation Plan; Flexible Permit Program

**AGENCY:** Environmental Protection Agency.

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing to approve revisions to the Texas New Source Review (NSR) State Implementation

Plan (SIP) submitted by the Texas Commission on Environmental Quality (TCEQ) on July 31, 2014. These revisions support this action to convert the approved conditional Flexible Permit Program (FPP) to a fully approved FPP. The EPA is proposing to find the TCEQ has satisfied all the elements of our July 14, 2014, final conditional approval, and as such, the FPP conditional approval is proposed for full approval with this action. Those commitments consisted of revising the rules to ensure they are properly structured. The EPA has determined that these SIP revisions comply with the Federal Clean Air Act (the Act or CAA) and are consistent with the EPA's regulations and policies. This action is being taken under section 110(k) of the Act.

**DATES:** Comments must be received on or before January 30, 2015.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R06-OAR-2013-0542, by one of the following methods:

- <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- **Email:** Ms. Stephanie Kordzi at [kordzi.stephanie@epa.gov](mailto:kordzi.stephanie@epa.gov).
- **Mail or Delivery:** Ms. Stephanie Kordzi, Air Permits Section (6PD-R), Environmental Protection Agency, 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202-2733.

**Instructions:** Direct your comments to Docket ID No. EPA-R06-OAR-2013-0542. 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 <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information the disclosure of which is restricted by statute. Do not submit information through <http://www.regulations.gov> or email, if you believe that it is CBI or otherwise protected from disclosure. The <http://www.regulations.gov> Web site is an "anonymous access" system, which means that 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 <http://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 along with any disk or CD-ROM submitted. 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 and any form of encryption and should 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:** The index to the docket for this action is available electronically at [www.regulations.gov](http://www.regulations.gov) and in hard copy at the EPA Region 6, 1445 Ross Avenue, Suite 700, Dallas, Texas. While all documents in the docket are listed in the index, some information may be publicly available only at the hard copy location (e.g., copyrighted material), and some may not be publicly available at either location (e.g., CBI). To inspect the hard copy materials, please schedule an appointment with the person listed in the **FOR FURTHER INFORMATION CONTACT** paragraph below or Mr. Bill Deese at 214-665-7253.

**FOR FURTHER INFORMATION CONTACT:** Ms. Stephanie Kordzi (6PD-R), Air Permits Section, Environmental Protection Agency, Region 6, 1445 Ross Avenue (6PD-R), Suite 1200, Dallas, TX 75202-2733. Telephone (214) 665-7520, email at [kordzi.stephanie@epa.gov](mailto:kordzi.stephanie@epa.gov).

#### SUPPLEMENTARY INFORMATION:

Throughout this document whenever "we," "us," or "our" is used, we mean the EPA.

#### Table of Contents

- I. Background
- II. What action is the EPA taking?
- III. What did Texas submit?
- IV. What is the EPA's evaluation of this SIP revision?
- V. What is the EPA's evaluation of the TCEQ's response to the FPP conditional approval?
  - A. What is a conditional approval?
  - B. What are the terms of the FPP conditional approval?
  - C. Were the terms of the FPP conditional approval met?
- VI. Proposed Action
- VII. Statutory and Executive Order Reviews

#### I. Background

On July 14, 2014, the EPA took final rulemaking action conditionally approving revisions to the Texas NSR SIP to establish the Texas Minor NSR Flexible Permits Program, submitted by the (TCEQ). The EPA's proposed conditional approval was published in 79 FR 8368, February 12, 2014. The