



**WEST VIRGINIA SECRETARY OF STATE**

**MAC WARNER**

**ADMINISTRATIVE LAW DIVISION**

**eFILED**

6/24/2020 1:42:00 PM

Office of West Virginia  
Secretary Of State

**NOTICE OF PUBLIC COMMENT PERIOD**

AGENCY: Air Quality TITLE-SERIES: 45-08  
RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No  
RULE NAME: Ambient Air Quality Standards

CITE STATUTORY AUTHORITY: W. Va. Code § 22-5-4

COMMENTS LIMITED TO:

Oral and Written

DATE OF PUBLIC HEARING: 07/28/2020 6:00 PM

LOCATION OF PUBLIC HEARING:

Virtual. Details in Public Notice

DATE WRITTEN COMMENT PERIOD ENDS: 07/28/2020 6:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Sandra Adkins

ADDRESS: Department of Environmental Protection 601 57th Street SE  
Charleston, WV 25304

EMAIL: dep.comments@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: Yes

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

## PROVIDE A BRIEF SUMMARY OF THE CONTENT OF THE RULE:

The rule establishes and adopts the ambient air quality standards in West Virginia for sulfur oxides, particulate matter, carbon monoxide, ozone, nitrogen dioxide, and lead, equivalent to the national primary and secondary ambient air quality standards (NAAQS) established under §109 of the Clean Air Act and promulgated by the United States Environmental Protection Agency under 40 C.F.R. Part 50. National primary ambient air quality standards define levels of air quality which the Administrator of the EPA judges are necessary, with an adequate margin of safety, to protect the public health. National secondary ambient air quality standards define levels of air quality which the Administrator of the EPA judges necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.

The rule also incorporates by reference the ambient air monitoring reference methods and equivalent methods promulgated by the EPA under 40 C.F.R. Part 53. These reference methods are used to determine attainment (or non-attainment) of the NAAQS.

## SUMMARIZE IN A CLEAR AND CONCISE MANNER CONTENTS OF CHANGES IN THE RULE AND A STATEMENT OF CIRCUMSTANCES REQUIRING THE RULE:

### Summary of changes in the rule:

Revisions to the rule include the annual incorporation by reference of 40 C.F.R. Parts 50 and 53 promulgated by EPA as of June 1, 2020.

The Incorporation by Reference subsection 1.6 revised the effective date of the standards being incorporated from June 1, 2019 to June 1, 2020. The Adoption of standards subsections 3.1 and 3.2 were revised to change the date the standards are being incorporated from June 1, 2019 to June 1, 2020.

### Statement of circumstances requiring the rule:

This rule is exempt from the Regulatory Moratorium of Executive Order 2-18 under condition 3(g), updating state rules to comply with federal law requirements.

This rule is part of the West Virginia State Implementation Plan (SIP), as required under § 110 of the federal Clean Air Act (CAA). The annual incorporation by reference updates to this rule allow WV to retain primacy of its air quality programs. Revisions to the rule include the annual incorporation by reference of 40 C.F.R. Parts 50 and 53 promulgated by EPA as of June 1, 2020 including:

Ambient Air Monitoring Reference and Equivalent Methods: Designation of One New Equivalent Method - The EPA designated one new equivalent method for measuring concentrations of ozone (O<sub>3</sub>) in ambient air.

Ambient Air Monitoring Reference and Equivalent Methods; Designation of One New Reference Method and One Reference Method Amendment - The EPA designated one new reference method for measuring concentrations of nitrogen dioxide (NO<sub>2</sub>), and one amendment to an existing reference method for measuring PM<sub>10</sub> in ambient air.

Ambient Air Monitoring Reference and Equivalent Methods; Designation of One New Reference Method - The EPA designated one new reference method for measuring concentrations of sulfur dioxide (SO<sub>2</sub>) in ambient air.

Ambient Air Monitoring Reference and Equivalent Methods: Designation of One New Equivalent Method - The EPA designated one new equivalent method for measuring concentrations of nitrogen dioxide (NO<sub>2</sub>) in ambient air.

Upon authorization and promulgation, 45 C.S.R. 8 will be submitted to the EPA as a revision to the State Implementation Plan pursuant to the CAA.

### Determination of Stringency:

A federal counterpart to this proposed rule exists. In accordance with the Secretary's recommendation, the Division of Air Quality proposes that the rule incorporate by reference the federal counterparts. The proposed rule incorporates by reference the federal counterpart; therefore, no determination of stringency is required.

Consultation with the Environmental Protection Advisory Council:

The Environmental Protection Advisory Council received a copy of this proposed rule in advance of the June 23 meeting to discuss this rule.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE PROPOSED RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

The proposed revisions to this rule should not impact revenues of state government.

B. ECONOMIC IMPACT ON SPECIAL REVENUE ACCOUNTS:

The proposed revisions to this rule should not impact special revenue accounts.

C. ECONOMIC IMPACT OF THE RULE ON THE STATE OR ITS RESIDENTS:

The proposed revisions to this rule should not impact costs of state government, nor should it have an economic impact on the state or its residents. The proposed revisions to this rule should have no additional impact on the cost of state government beyond that resulting from currently applicable federal requirements.

D. FISCAL NOTE DETAIL:

Effect of Proposal	Fiscal Year		
	2020 Increase/Decrease (use "-")	2021 Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
<b>1. Estimated Total Cost</b>	0	0	0
<b>Personal Services</b>	0	0	0
	0	0	0

<b>Current Expenses</b>			
<b>Repairs and Alterations</b>	0	0	0
<b>Assets</b>	0	0	0
<b>Other</b>	0	0	0
<b>2. Estimated Total Revenues</b>	0	0	0

**E. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):**

Annual revisions to this rule will not impact costs or revenues.

In accordance with W. Va. Code §22-1A 3(c), the Secretary has determined that this rule will not result in a taking of private property within the meaning of the Constitutions of West Virginia and the United States of America.

**BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.**

**Yes**

**Jason E Wandling -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.**

45CSR8

TITLE 45  
LEGISLATIVE RULE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
AIR QUALITY

SERIES 8  
AMBIENT AIR QUALITY STANDARDS

§45-8-1. General.

1.1. Scope. -- This rule establishes and adopts ambient air quality standards in West Virginia for sulfur oxides, particulate matter, carbon monoxide, ozone, nitrogen dioxide and lead, equivalent to the national primary and secondary ambient air quality standards established under Section 109 of the Clean Air Act and promulgated by the United States Environmental Protection Agency under 40 C.F.R. Part 50. National primary ambient air quality standards define levels of air quality which the Administrator judges are necessary, with an adequate margin of safety, to protect the public health. National secondary ambient air quality standards define levels of air quality which the Administrator judges necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant. This rule also establishes and adopts ambient air monitoring reference methods and equivalent methods promulgated by the United States Environmental Protection Agency under 40 C.F.R. Part 53. The Secretary hereby adopts these standards and methods by reference. The Secretary also adopts the appendices to these standards and methods. These standards and methods are subject to revision, and additional primary and secondary standards may be promulgated as the Administrator deems necessary to protect the public health and welfare.

1.2. Authority. -- W.Va. Code § 22-5-4.

1.3. Filing Date. -- ~~June 1, 2020.~~

1.4. Effective Date. -- ~~June 1, 2020.~~

1.5. Sunset Provision. -- Does not apply.

1.6. Incorporation by Reference. -- Federal Counterpart Regulation. The Secretary has determined that a federal counterpart regulation exists, and in accordance with the Secretary's recommendation this rule incorporates by reference 40 C.F.R. Part 50, "National Primary and Secondary Ambient Air Quality Standards," and 40 C.F.R. Part 53, "Ambient Air Monitoring Reference and Equivalent Methods," effective June 1, ~~2019~~ 2020.

§45-8-2. Definitions.

2.1. "Administrator" means the Administrator of the United States Environmental Protection Agency or his or her authorized representative.

2.2. "Clean Air Act" ~~or~~ ("CAA") means the federal Clean Air Act, as amended, 42 U.S.C. § 7401, et seq., ~~as amended~~.

2.3. "Secretary" means the Secretary of the Department of Environmental Protection or ~~such~~ other person to whom the Secretary has delegated authority or duties pursuant to W.Va. Code §§ 22-1-6 or 22-1-8.

2.4. Other words and phrases used in this rule, unless otherwise indicated, shall have the meaning ascribed to them in 40 C.F.R. § 50.1. Words and phrases not defined therein shall have the meaning given to them in the federal Clean Air Act.

**§45-8-3. Adoption of standards.**

3.1. The Secretary hereby adopts and incorporates by reference the national primary and secondary ambient air quality standards promulgated by the United States Environmental Protection Agency under 40 C.F.R. Part 50, effective June 1, ~~2019~~ 2020. These standards are adopted for the purpose of establishing ambient air quality standards in West Virginia that are equivalent to those established under Section 109 of the Clean Air Act, as amended.

3.2. The Secretary hereby adopts and incorporates by reference the ambient air monitoring reference methods and equivalent methods promulgated by the United States Environmental Protection Agency under 40 C.F.R. Part 53, effective June 1, ~~2019~~ 2020. These standards are adopted for the purpose of establishing ambient air monitoring reference methods and equivalent methods in West Virginia.

**§45-8-4. Inconsistency between rules.**

4.1. In the event of any inconsistency between this rule and any other rule of the Division of Air Quality, the inconsistency shall be resolved by the determination of the Secretary and the determination shall be based upon the application of the more stringent provision, term, condition, method, or rule.

Pursuant to 40 CFR 155.58(c), the registration review case docket for glyphosate will remain open until all actions required in the interim decision have been completed.

Background on the registration review program is provided at: <http://www.epa.gov/pesticide-reevaluation>.

**Authority:** 7 U.S.C. 136 *et seq.*

Dated: January 27, 2020.

**Mary Reaves,**

*Acting Director, Pesticide Re-Evaluation Division, Office of Pesticide Programs.*

[FR Doc. 2020-01935 Filed 1-31-20; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

**[FRL-10004-78-ORD]**

**Ambient Air Monitoring Reference and Equivalent Methods; Designation of One New Reference Method**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of the designation of a new reference method for monitoring ambient air quality.

**SUMMARY:** Notice is hereby given that the Environmental Protection Agency (EPA) has designated one new reference method for measuring concentrations of sulfur dioxide (SO<sub>2</sub>) in ambient air.

**FOR FURTHER INFORMATION CONTACT:** Robert Vanderpool, Air Methods and Characterization Division (MD-D205-03), Center for Environmental Measurements and Modeling, U.S. EPA, Research Triangle Park, North Carolina 27711. Phone: 919-541-7877. Email: [vanderpool.robert@epa.gov](mailto:vanderpool.robert@epa.gov).

**SUPPLEMENTARY INFORMATION:** In accordance with regulations at 40 CFR part 53, the EPA evaluates various methods for monitoring the concentrations of those ambient air pollutants for which EPA has established National Ambient Air Quality Standards (NAAQS) as set forth in 40 CFR part 50. Monitoring methods that are determined to meet specific requirements for adequacy are designated by the EPA as either reference or equivalent methods (as applicable), thereby permitting their use under 40 CFR part 58 by States and

other agencies for determining compliance with the NAAQS. A list of all reference or equivalent methods that have been previously designated by EPA may be found at <http://www.epa.gov/ttn/amtic/criteria.html>.

The EPA hereby announces the designation of one new reference method for measuring concentrations of SO<sub>2</sub> in ambient air. This designation is made under the provisions of 40 CFR part 53, as amended on October 26, 2015 (80 FR 65291-65468).

The new reference method for SO<sub>2</sub> is an automated method (analyzer) utilizing the measurement principle based on ultraviolet fluorescence. This newly designated reference method is identified as follows:

RFS-1219-255, "Focused Photonics Inc. AQMS-500 SO<sub>2</sub> Analyzer" Ultraviolet Fluorescence (UVF) analyzer operated in the range of 0-0.5 ppm, with 5 µm, 47 mm diameter Teflon® (PTFE) filter installed, operated at temperatures between 20 °C and 30 °C, at nominal input line voltage of 220 ± 10% VAC and frequency of 50 Hz, at a nominal sampling flow rate of 800 ± 80 cc/min, and operated according to the FPI AQMS-500 User Manual.

This application for a reference method determination for this SO<sub>2</sub> method was received by the Office of Research and Development on October 31, 2019. This analyzer is commercially available from the applicant, Focused Photonics Inc. (FPI), 760 Bin'an Road, Binjiang District, Hangzhou, Zhejiang, China.

A representative test analyzer was tested in accordance with the applicable test procedures specified in 40 CFR part 53, as amended on October 26, 2015. After reviewing the results of those tests and other information submitted by the applicant, EPA has determined, in accordance with part 53, that this method should be designated as a reference method.

As a designated reference method, this method is acceptable for use by states and other air monitoring agencies under the requirements of 40 CFR part 58, Ambient Air Quality Surveillance. For such purposes, this method must be used in strict accordance with the operation or instruction manual associated with the method and subject to any specifications and limitations

(e.g., configuration or operational settings) specified in the designated method description (see the identification of the method above).

Use of the method also should be in general accordance with the guidance and recommendations of applicable sections of the "Quality Assurance Handbook for Air Pollution Measurement Systems, Volume I," EPA/600/R-94/038a and "Quality Assurance Handbook for Air Pollution Measurement Systems, Volume II, Ambient Air Quality Monitoring Program," EPA-454/B-13-003, (both available at <http://www.epa.gov/ttn/amtic/qalist.html>). Provisions concerning modification of such methods by users are specified under section 2.8 (Modifications of Methods by Users) of appendix C to 40 CFR part 58.

Consistent or repeated noncompliance with any of these conditions should be reported to: Director, Air Methods and Characterization Division (MD-D205-03), Center for Environmental Measurements and Modeling, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711.

Designation of this reference method is intended to assist the States in establishing and operating their air quality surveillance systems under 40 CFR part 58. Questions concerning the commercial availability or technical aspects of the method should be directed to the applicant.

Dated: January 16, 2020.

**Timothy H. Watkins,**

*Director, Center for Environmental Measurement and Modeling.*

[FR Doc. 2020-01999 Filed 1-31-20; 8:45 am]

**BILLING CODE 6560-50-P**

**FEDERAL DEPOSIT INSURANCE CORPORATION**

**Notice to All Interested Parties of Intent To Terminate Receiverships**

*Notice is hereby given* that the Federal Deposit Insurance Corporation (FDIC or Receiver), as Receiver for the institutions listed below, intends to terminate its receivership for said institutions.

**NOTICE OF INTENT TO TERMINATE RECEIVERSHIPS**

Fund	Receivership name	City	State	Date of appointment of receiver
10528 .....	Fayette County Bank .....	Saint Elmo .....	IL	05/26/2017

Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (<http://ferc.gov>) using the eLibrary link. Enter the docket number excluding the last three digits in the docket number field to access the document. At this time, the Commission has suspended access to the Commission's Public Reference Room, due to the proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID-19), issued by the President on March 13, 2020. For assistance, contact the Federal Energy Regulatory Commission at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or call toll-free, (886) 208-3676 or TTY, (202) 502-8659.

*Comment Date:* 5:00 p.m. Eastern Time on May 18, 2020.

Dated: May 1, 2020.

**Nathaniel J. Davis, Sr.,**

*Deputy Secretary.*

[FR Doc. 2020-09756 Filed 5-6-20; 8:45 am]

**BILLING CODE 6717-01-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-10009-16-ORD]

### Ambient Air Monitoring Reference and Equivalent Methods; Designation of One New Equivalent Method

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

**ACTION:** Notice of the designation of a new equivalent method for monitoring ambient air quality.

**SUMMARY:** Notice is hereby given that the Environmental Protection Agency (EPA) has designated one new equivalent method for measuring concentrations of nitrogen dioxide (NO<sub>2</sub>) in ambient air.

**FOR FURTHER INFORMATION CONTACT:** Robert Vanderpool, Air Methods and Characterization Division (MD-D205-03), Center for Environmental Measurements and Modeling, U.S. EPA, Research Triangle Park, North Carolina 27711. Phone: 919-541-7877. Email: [Vanderpool.Robert@epa.gov](mailto:Vanderpool.Robert@epa.gov).

**SUPPLEMENTARY INFORMATION:** In accordance with regulations at 40 CFR

part 53, the EPA evaluates various methods for monitoring the concentrations of those ambient air pollutants for which EPA has established National Ambient Air Quality Standards (NAAQS) as set forth in 40 CFR part 50. Monitoring methods that are determined to meet specific requirements for adequacy are designated by the EPA as either reference or equivalent methods (as applicable), thereby permitting their use under 40 CFR part 58 by States and other agencies for determining compliance with the NAAQS. A list of all reference or equivalent methods that have been previously designated by EPA may be found at <http://www.epa.gov/ttn/amtic/criteria.html>.

The EPA hereby announces the designation of one new equivalent method for measuring concentrations of NO<sub>2</sub> in ambient air. This designation is made under the provisions of 40 CFR part 53, as amended on October 26, 2015 (80 FR 65291-65468).

The new equivalent method for NO<sub>2</sub> is an automated method (analyzer) utilizing the measurement principle based on cavity-attenuated phase-shift (CAPS) spectroscopy. This newly designated equivalent method is identified as follows:

EQNA-0320-256, "Teledyne Advanced Pollution Instrumentation, Model N500 Cavity-Attenuated Phase-Shift (CAPS) spectroscopy Nitrogen Oxides Analyzer", operated on any full scale range between 0-0.5 ppm, at any operating temperature from 0 °C to 40 °C, with a sample particulate filter and in accordance with the Model N500 CAPS NO<sub>x</sub> Analyzer User Manual, and with or without any of the following options: Zero/Span valves, internal Zero/Span permeation oven (IZS), Analog Output expansion board, Digital I/O expansion board, external communication and data monitoring interfaces; and the NumaView™ software. Note 2 applies to the Teledyne Advanced Pollution Instrumentation, Model N500.

This application for an equivalent method determination for this NO<sub>2</sub> method was received by the Office of Research and Development on January 21, 2020. This analyzer is commercially available from the applicant, Teledyne API, 9970 Carroll Canyon Road, San Diego, CA 92131.

A representative test analyzer was tested in accordance with the applicable test procedures specified in 40 CFR part 53, as amended on October 26, 2015. After reviewing the results of those tests and other information submitted by the applicant, EPA has determined, in accordance with part 53, that this

method should be designated as an equivalent method.

As a designated equivalent method, this method is acceptable for use by states and other air monitoring agencies under the requirements of 40 CFR part 58, Ambient Air Quality Surveillance. For such purposes, this method must be used in strict accordance with the operation or instruction manual associated with the method and subject to any specifications and limitations (e.g., configuration or operational settings) specified in the designated method description (see the identification of the method above).

Use of the method also should be in general accordance with the guidance and recommendations of applicable sections of the "Quality Assurance Handbook for Air Pollution Measurement Systems, Volume I," EPA/600/R-94/038a and "Quality Assurance Handbook for Air Pollution Measurement Systems, Volume II, Ambient Air Quality Monitoring Program," EPA-454/B-13-003, (both available at <http://www.epa.gov/ttn/amtic/qalist.html>). Provisions concerning modification of such methods by users are specified under Section 2.8 (Modifications of Methods by Users) of Appendix C to 40 CFR part 58.

Consistent or repeated noncompliance with any of these conditions should be reported to: Director, Air Methods and Characterization Division (MD-D205-03), Center for Environmental Measurements and Modeling, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711.

Designation of this equivalent method is intended to assist the States in establishing and operating their air quality surveillance systems under 40 CFR part 58. Questions concerning the commercial availability or technical aspects of the method should be directed to the applicant.

Dated: May 1, 2020.

**Timothy Watkins,**

*Director, Center for Environmental Measurements and Modeling.*

[FR Doc. 2020-09704 Filed 5-6-20; 8:45 am]

**BILLING CODE 6560-50-P**

## FARM CREDIT ADMINISTRATION

### Sunshine Act Meeting Board

**AGENCY:** Farm Credit Administration.

**ACTION:** Notice, regular meeting.

**SUMMARY:** Notice is hereby given, pursuant to the Government in the Sunshine Act (5 U.S.C. Sec. 552b(e)(1)),



agree to the proposed joint stipulation and stipulated notice of dismissal. EPA or the Department of Justice may withdraw or withhold consent to the proposed stipulated partial settlement if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the ESA or FIFRA. Unless EPA or the Department of Justice determines that consent should be withdrawn, the terms of the proposed stipulation and stipulated notice of dismissal will be affirmed.

## II. Additional Information About Commenting on the Proposed Stipulation and Stipulated Notice of Dismissal

### A. How can I get a copy of the proposed stipulated partial settlement agreement?

The official public docket for this action (identified by EPA-HQ-OGC-2019-0478) contains a copy of the proposed stipulated partial settlement agreement. The official public docket is available for public viewing at the Office of Environmental Information (OEI) Docket in the EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave. NW, Washington, DC. 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 Public Reading Room is (202) 566-1744, and the telephone number for the OEI Docket is (202) 566-1752.

An electronic version of the public docket is available on EPA's website at [Insert URL] and through [www.regulations.gov](http://www.regulations.gov). You may use [www.regulations.gov](http://www.regulations.gov) to submit or view public comments, access the index listing of the contents of the official public docket, and access those documents in the public docket that are available electronically. Once in the system, key in the appropriate docket identification number then select "search." It is important to note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing online at [www.regulations.gov](http://www.regulations.gov) without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. Information claimed as CBI and other information whose disclosure is restricted by statute is not included in the official public docket or in the electronic public docket.

EPA's policy is that copyrighted material, including copyrighted material contained in a public comment, will not

be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the EPA Docket Center.

### B. How and to whom do I submit comments?

You may submit comments as provided in the **ADDRESSES** section. Please ensure that your comments are submitted within the specified comment period.

If you submit an electronic comment, EPA recommends that you include your name, mailing address, and an email address or other contact information in the body of your comment and with any disk or CD ROM you submit. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. Any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

Use of the [www.regulations.gov](http://www.regulations.gov) website to submit comments to EPA electronically is EPA's preferred method for receiving comments. The electronic public docket system is an "anonymous access" system, which means EPA will not know your identity, email address, or other contact information unless you provide it in the body of your comment. In contrast to EPA's electronic public docket, EPA's electronic mail (email) system is not an "anonymous access" system. If you send an email comment directly to the Docket without going through [www.regulations.gov](http://www.regulations.gov), your email address is automatically captured and included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

Dated: August 13, 2019.

**Joseph E. Cole,**

*Associate General Counsel.*

[FR Doc. 2019-18132 Filed 8-22-19; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9997-98-ORD]

### Ambient Air Monitoring Reference and Equivalent Methods; Designation of One New Equivalent Method

**AGENCY:** Office of Research and Development; Environmental Protection Agency (EPA).

**ACTION:** Notice of the designation of a new equivalent method for monitoring ambient air quality.

**SUMMARY:** Notice is hereby given that the Environmental Protection Agency (EPA) has designated one new equivalent method for measuring concentrations of ozone (O<sub>3</sub>) in ambient air.

**FOR FURTHER INFORMATION CONTACT:** Robert Vanderpool, Exposure Methods and Measurement Division (MD-D205-03), National Exposure Research Laboratory, U.S. EPA, Research Triangle Park, North Carolina 27711. Phone: 919-541-7877. Email: [Vanderpool.Robert@epa.gov](mailto:Vanderpool.Robert@epa.gov).

**SUPPLEMENTARY INFORMATION:** In accordance with regulations at 40 CFR part 53, the EPA evaluates various methods for monitoring the concentrations of those ambient air pollutants for which EPA has established National Ambient Air Quality Standards (NAAQS) as set forth in 40 CFR part 50. Monitoring methods that are determined to meet specific requirements for adequacy are designated by the EPA as either reference or equivalent methods (as applicable), thereby permitting their use under 40 CFR part 58 by States and other agencies for determining compliance with the NAAQS. A list of all reference or equivalent methods that have been previously designated by EPA may be found at <http://www.epa.gov/ttn/amt/criteria.html>.

The EPA hereby announces the designation of one new equivalent method for measuring concentrations of O<sub>3</sub> in ambient air. This designation is made under the provisions of 40 CFR part 53, as amended on October 26, 2015 (80 FR 65291-65468). This new equivalent method for O<sub>3</sub> is an automated method (analyzer) utilizing the measurement principle based on UV photometry. This newly designated equivalent method is identified as follows:

EQOA-0719-253, "Focused Photonics Inc. AQMS-300 O<sub>3</sub> Analyzer" UV photometric analyzer operated the range of 0-0.5 ppm, with 5 µm, 47 mm diameter Teflon® (PTFE) filter installed,

operated at temperatures between 20°C and 30°C, at nominal input line voltage of 220±10% VAC and frequency of 50 Hz, at a nominal sampling flow rate of 800±80 cc/min, and operated according to the FPI AQMS-300 User Manual.

This application for an equivalent method determination for this O<sub>3</sub> method was received by the Office of Research and Development on June 10, 2019. This analyzer is commercially available from the applicant, Focused Photonics Inc. (FPI), 760 Bin'an Road, Binjiang District, Hangzhou, Zhejiang, China.

A representative test analyzer was tested in accordance with the applicable test procedures specified in 40 CFR part 53, as amended on October 26, 2015. After reviewing the results of those tests and other information submitted by the applicant, EPA has determined, in accordance with part 53, that this method should be designated as an equivalent method.

As a designated equivalent method, this method is acceptable for use by states and other air monitoring agencies under the requirements of 40 CFR part 58, Ambient Air Quality Surveillance. For such purposes, this method must be used in strict accordance with the operation or instruction manual associated with the method and subject to any specifications and limitations (e.g., configuration or operational settings) specified in the designated method description (see the identification of the method above).

Use of the method also should be in general accordance with the guidance and recommendations of applicable sections of the "Quality Assurance Handbook for Air Pollution Measurement Systems, Volume I," EPA/600/R-94/038a and "Quality Assurance Handbook for Air Pollution Measurement Systems, Volume II, Ambient Air Quality Monitoring Program," EPA-454/B-13-003, (both available at <http://www.epa.gov/ttn/amtic/qalist.html>). Provisions concerning modification of such methods by users are specified under Section 2.8 (Modifications of Methods by Users) of Appendix C to 40 CFR part 58.

Consistent or repeated noncompliance with any of these conditions should be reported to: Director, Exposure Methods and Measurement Division (MD-E205-01), National Exposure Research Laboratory, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711.

Designation of this equivalent method is intended to assist the States in establishing and operating their air quality surveillance systems under 40

CFR part 58. Questions concerning the commercial availability or technical aspects of the method should be directed to the applicant.

Dated: July 31, 2019.

**Timothy H. Watkins,**

*Director, National Exposure Research Laboratory.*

[FR Doc. 2019-18234 Filed 8-22-19; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPPT-2019-0131; FRL-9998-29]

### Proposed High-Priority Substance Designations Under the Toxic Substances Control Act (TSCA); Notice of Availability and Request for Comment

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

**ACTION:** Notice.

**SUMMARY:** As required under section 6(b) of the Toxic Substances Control Act (TSCA) and implementing regulations, EPA is proposing to designate 20 chemical substances as High-Priority Substances for risk evaluation. This document and supporting docket materials identify the proposed designation for each of the chemical substances and instructions on how to access the chemical-specific information, analysis and basis used by EPA to support the proposed designation for each chemical substance. EPA is providing a 90-day comment period during which interested persons may provide comments on the proposed designations of High-Priority Substances for risk evaluation. August 22, 2019

**DATES:** Comments must be received on or before November 21, 2019.

**ADDRESSES:** Use one of the following methods to submit comments. For comments not related to a specific chemical, including comments on Unit V., direct your comments to docket identification (ID) number EPA-HQ-OPPT-2019-0131. For comments on one or more of the 20 chemical substances, use the applicable chemical specific docket ID number(s) identified in Unit IV.B.:

- *Federal eRulemaking Portal:* <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.

- *Mail:* Document Control Office (7407M), Office of Pollution Prevention and Toxics (OPPT), Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001.

- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at <http://www.epa.gov/dockets/contacts.html>.

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at <http://www.epa.gov/dockets>.

**FOR FURTHER INFORMATION CONTACT:** For technical information about the High-Priority Substances contact: Ana Corado, Chemical Control Division, Office of Pollution Prevention and Toxics, Office of Chemical Safety and Pollution Prevention, Environmental Protection Agency (Mailcode 7408M), 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; telephone number: (202) 564-0140; email address: [corado.ana@epa.gov](mailto:corado.ana@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).

## I. Executive Summary

### A. Does this action apply to me?

This action is directed to the public in general and may be of interest to entities that currently or may manufacture (including import) a chemical substance regulated under TSCA (e.g., entities identified under North American Industrial Classification System (NAICS) codes 325 and 324110). The action may also be of interest to chemical processors, distributors in commerce, and users; non-governmental organizations in the environmental and public health sectors; state and local government agencies; and members of the public. Since other entities may also be interested, the Agency has not attempted to describe all the specific entities and corresponding NAICS codes for entities that may be interested in or affected by this action.

### B. What action is the Agency taking?

EPA is proposing to designate 20 chemical substances as High-Priority Substances for risk evaluation pursuant to section 6(b) of the Toxic Substances Control Act (TSCA), 15 U.S.C. 2605(b). This document includes a summary of the approach used by EPA to support the proposed designations, the proposed designation for each of the chemical

Dated: September 12, 2019.

Anne L. Idsal,

Acting Assistant Administrator, Office of Air and Radiation.

[FR Doc. 2019-20930 Filed 9-25-19; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL 10000-30-ORD]

### Ambient Air Monitoring Reference and Equivalent Methods; Designation of One New Reference Method and One Reference Method Amendment

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

**ACTION:** Notice of the designation of a new reference method and an amendment to an existing reference method for monitoring ambient air quality.

**SUMMARY:** Notice is hereby given that the Environmental Protection Agency (EPA) has designated one new reference method for measuring concentrations of nitrogen dioxide (NO<sub>2</sub>), and one amendment to an existing reference method for measuring PM<sub>10</sub> in ambient air.

**FOR FURTHER INFORMATION CONTACT:** Robert Vanderpool, Exposure Methods and Measurement Division (MD-D205-03), National Exposure Research Laboratory, U.S. EPA, Research Triangle Park, North Carolina 27711. Phone: 919-541-7877. Email: [Vanderpool.Robert@epa.gov](mailto:Vanderpool.Robert@epa.gov).

**SUPPLEMENTARY INFORMATION:** In accordance with regulations at 40 CFR part 53, the EPA evaluates various methods for monitoring the concentrations of those ambient air pollutants for which EPA has established National Ambient Air Quality Standards (NAAQS) as set forth in 40 CFR part 50. Monitoring methods that are determined to meet specific requirements for adequacy are designated by the EPA as either reference or equivalent methods (as applicable), thereby permitting their use under 40 CFR part 58 by States and other agencies for determining compliance with the NAAQS. A list of all reference or equivalent methods that have been previously designated by EPA may be found at <http://www.epa.gov/ttn/amtic/criteria.html>.

The EPA hereby announces the designation of one new reference method for measuring concentrations of

NO<sub>2</sub> in ambient air. This designation is made under the provisions of 40 CFR part 53, as amended on October 26, 2015 (80 FR 65291-65468).

The new reference method for NO<sub>2</sub> is an automated method (analyzer) utilizing the measurement principle based on gas phase chemiluminescence. This newly designated reference method is identified as follows:

RFNA-0819-254, "Focused Photonics Inc. Model AQMS-600 Chemiluminescent Nitric Oxides Analyzer," operated with a measurement range of 0-0.5 ppm, equipped with a 1-micron, 47mm diameter Teflon® (PTFE) sample inlet filter, at any temperature in the range of 20 °C to 30 °C, with Molybdenum NO<sub>x</sub> converter operating at 315 °C, at a nominal sample flow rate of 500±50 cc/min, with an ozone flow rate of 80±10% cc/min, at nominal input line voltage of 220±10% VAC and frequency of 50 Hz. Analyzer operated and maintained in accordance with the Model AQMS-600 Nitric Oxides Analyzer User Manual.

This application for a reference method determination for this NO<sub>2</sub> method was received by the Office of Research and Development on July 15, 2019. This analyzer is commercially available from the applicant, Focused Photonics Inc. (FPI), 760 Bin'an Road, Binjiang District, Hangzhou, Zhejiang, China.

A representative test analyzer was tested in accordance with the applicable test procedures specified in 40 CFR part 53, as amended on October 26, 2015. After reviewing the results of those tests and other information submitted by the applicant, EPA has determined, in accordance with part 53, that this method should be designated as a reference method.

As a designated reference method, this method is acceptable for use by states and other air monitoring agencies under the requirements of 40 CFR part 58, Ambient Air Quality Surveillance. For such purposes, this method must be used in strict accordance with the operation or instruction manual associated with the method and subject to any specifications and limitations (e.g., configuration or operational settings) specified in the designated method description (see the identification of the method above).

Use of the method also should be in general accordance with the guidance and recommendations of applicable sections of the "Quality Assurance Handbook for Air Pollution Measurement Systems, Volume I," EPA/

600/R-94/038a and "Quality Assurance Handbook for Air Pollution Measurement Systems, Volume II, Ambient Air Quality Monitoring Program," EPA-454/B-13-003, (both available at <http://www.epa.gov/ttn/amtic/qalist.html>). Provisions concerning modification of such methods by users are specified under Section 2.8 (Modifications of Methods by Users) of Appendix C to 40 CFR part 58.

Consistent or repeated noncompliance with any of these conditions should be reported to: Director, Exposure Methods and Measurement Division (MD-E205-01), National Exposure Research Laboratory, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711.

Designation of this reference method is intended to assist the States in establishing and operating their air quality surveillance systems under 40 CFR part 58. Questions concerning the commercial availability or technical aspects of the method should be directed to the applicant.

The EPA hereby announces the amendment of one reference method for measuring concentrations of PM<sub>10</sub> in ambient air. This amendment is made under the provisions of 40 CFR part 53, as amended on October 26, 2015 (80 FR 65291-65468).

This reference method for PM<sub>10</sub> is a manual monitoring method based on a specific PM<sub>10</sub> sampler. The amendment to this designated reference method corrects a typographical error in the original notice of designation [82 FR 44612, Sept. 25, 2017] and is corrected as follows:

RFPS-0717-246, "Met One Instruments, Inc. E-SEQ-FRM," sequential sampler configured for multi-event filter sampling of ambient particulate matter using the US EPA PM<sub>10</sub> inlet specified in 40 CFR 50 Appendix L, Figs. L-2 thru L-19, with a flow rate of 16.67 L/min, using 47 mm PTFE membrane filter media, and operating with firmware version R1.1.0 and later, and operated in accordance with the Met One E-SEQ-FRM PM<sub>10</sub> operating manual. This designation applies to PM<sub>10</sub> measurements only.

Dated: September 9, 2019.

Timothy Watkins,

Director, National Exposure Research Laboratory.

[FR Doc. 2019-20926 Filed 9-25-19; 8:45 am]

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