

remains responsible for permit compliance if Operator B fails to implement any measures necessary for Operator A to comply with the permit.” See Part 1.1.1, footnote 1; Part 7.1, footnote 52; and Appendix A definition for “shared control”; and the accompanying fact sheet explanation for these Parts.

IV. Analysis of Economic Impacts

Due to the narrow scope of this permit modification and the focus on clarifying the intent of certain requirements rather than changing the underlying requirement itself, the EPA does not expect any change in economic impact from this permit modification. It is therefore unnecessary for the EPA to revise the economic analysis that was prepared for the original 2017 CGP. A copy of the EPA’s economic analysis, titled “Cost Impact Analysis for the 2017 Construction General Permit (CGP),” is available in the docket for this permit modification.

V. Executive Order 12866: Regulatory Planning and Review and Executive Order 13563: Improving Regulation and Regulatory Review

The Office of Management and Budget (OMB) determined that this action is not significant under Executive Orders 12866 and 13563 (76 FR 3821, January 21, 2011).

VI. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations

Executive Order (E.O.) 12898 (59 FR 7629 (February 16, 1994)) establishes federal executive policy on environmental justice. Its main provision directs federal agencies, to the greatest extent practicable and permitted by law, to make environmental justice part of their mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority populations and low-income populations in the United States.

Consistent with the EPA’s previous determination for the original 2017 CGP, this final modification to the 2017 CGP will not have disproportionately high and adverse human health or environmental effects on minority or low-income populations because the requirements in the modified permit apply equally to all construction projects that disturb one or more acres in areas where the Agency is the permitting authority, and the erosion and sediment control provisions

increase the level of environmental protection for all affected populations.

VII. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

This action does not have tribal implications as specified in Executive Order 13175. It does not have a substantial direct effect on one or more Indian tribes. Thus, Executive Order 13175 does not apply to this action.

In compliance with Executive Order 13175, the EPA consulted with tribal officials during the development of the original 2017 CGP to gain an understanding of and, where necessary, address any areas of the original draft permit that may affect tribal interest. In the course of this consultation, the EPA conducted several outreach activities with tribal officials which are detailed in the **Federal Register** notice for the final 2017 CGP (82 FR 6534). During the finalization of the original 2017 CGP, the EPA also completed the CWA Section 401 certification procedures with all applicable tribes where the permit applies (see Appendix B of the modified 2017 CGP).

As part of the proposal for this modification, the EPA reviewed the tribal conditions that were incorporated into the original 2017 CGP under Section 401 certifications to identify any requirements that the proposed action might affect. See Part 9 of the original 2017 CGP. Only two tribal conditions referenced a permit requirement that was the subject of the proposed modification, Part 2.2.11 (Minimize erosion of stormwater conveyance channels and their embankments . . .). The EPA also completed the CWA Section 401 certification procedures with all applicable tribes where the permit applies for the final permit modification. Due to the narrow scope of the permit modification and the focus on clarifying the intent of certain requirements rather than changing the underlying requirement itself, the EPA determined that the final action will not change the interpretation or implementation of the tribal conditions referencing Part 2.2.11, and therefore any tribal impacts from this modification will be limited.

Authority: Clean Water Act, 33 U.S.C. 1251 *et seq.*

Dated: May 14, 2019.

Deborah A. Szaro,

Acting Regional Administrator, EPA Region 1.

Dated: May 14, 2019.

Jeff Gratz,

Deputy Director, Water Division, EPA Region 2.

Dated: May 14, 2019.

Jose C. Font,

Acting Director, Caribbean Environmental Protection Division, EPA Region 2.

Dated: May 14, 2019.

Catharine McManus,

Deputy Director, Water Division, EPA Region 3.

Dated: May 14, 2019.

Jeaneanne M. Gettle,

Director, Water Division, EPA Region 4.

Dated: May 14, 2019.

Joan M. Tanaka,

Acting Director, Water Division, EPA Region 5.

Dated: May 14, 2019.

Charles W. Maguire,

Director, Water Division, EPA Region 6.

Dated: May 14, 2019.

Jeffery Robichaud,

Director, Water Division, EPA Region 7.

Dated: May 14, 2019.

Darcy O’Connor,

Director, Water Division, EPA Region 8.

Dated: May 14, 2019.

Tomás Torres,

Director, Water Division, EPA Region 9.

Dated: May 14, 2019.

Daniel D. Opalski,

Director, Water Division, EPA Region 10.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL–9994–45–OAR]

Allocations of Cross-State Air Pollution Rule Allowances From New Unit Set-Asides for 2019 Control Periods

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of data availability.

SUMMARY: The Environmental Protection Agency (EPA) is providing notice of the availability of data on emission allowance allocations to certain units under the Cross-State Air Pollution Rule (CSAPR) trading programs. EPA has completed preliminary calculations for the first round of allocations of allowances from the CSAPR new unit set-asides (NUSAs) for the 2019 control periods and has posted spreadsheets

containing the calculations on EPA's website. EPA will consider timely objections to the preliminary calculations (including objections concerning the identification of units eligible for allocations) before determining the final amounts of the first-round allocations.

DATES: Objections to the information referenced in this document must be received on or before June 27, 2019.

ADDRESSES: Submit your objections via email to CSAPR_NUSA@epa.gov. Include "2019 NUSA allocations" in the email subject line and include your name, title, affiliation, address, phone number, and email address in the body of the email.

FOR FURTHER INFORMATION CONTACT: Questions concerning this action should be addressed to Kenon Smith at (202) 343-9164 or smith.kenon@epa.gov or Jason Kuhns at (202) 564-3236 or kuhns.jason@epa.gov.

SUPPLEMENTARY INFORMATION: Under each CSAPR trading program where EPA is responsible for determining emission allowance allocations, a portion of each state's emissions budget for the program for each control period is reserved in a NUSA (and in an additional Indian country NUSA in the case of states with Indian country within their borders) for allocation to certain units that would not otherwise receive allowance allocations. The procedures for identifying the eligible units for each control period and for allocating allowances from the NUSAs and Indian country NUSAs to these units are set forth in the CSAPR trading program regulations at 40 CFR 97.411(b) and 97.412 (NO_x Annual), 97.511(b) and 97.512 (NO_x Ozone Season Group 1), 97.611(b) and 97.612 (SO₂ Group 1), 97.711(b) and 97.712 (SO₂ Group 2), and 97.811(b) and 97.812 (NO_x Ozone Season Group 2). Each NUSA allowance allocation process involves up to two rounds of allocations to eligible units, termed "new" units, followed by the allocation to "existing" units of any allowances not allocated to new units.

This document concerns preliminary calculations for the first round of NUSA allowance allocations for the 2019 control periods. Generally, the allocation procedures call for each eligible unit to receive a first-round 2019 NUSA allocation equal to its 2018 control period emissions as reported under 40 CFR part 75 unless the total of such allocations to all eligible units would exceed the amount of allowances in the NUSA, in which case the allocations are reduced on a pro-rata basis. EPA notes that, under 40 CFR 97.406(c)(3), 97.506(c)(3), 97.606(c)(3),

97.706(c)(3), and 97.806(c)(3), a unit's emissions occurring before its monitor certification deadline are not considered to have occurred during a control period and consequently are not included in the emission amounts used to determine NUSA allocations.

The detailed unit-by-unit data and preliminary allowance allocation calculations are set forth in Excel spreadsheets titled "CSAPR_NUSA_2019_NOx_Annual_1st_Round_Prelim_Data", "CSAPR_NUSA_2019_NOx_OS_1st_Round_Prelim_Data", and "CSAPR_NUSA_2019_SO2_1st_Round_Prelim_Data," available on EPA's website at <https://www.epa.gov/csapr/new-unit-set-aside-notices-data-availability-nusa-noda-cross-state-air-pollution-rule>. Each of the spreadsheets contains a separate worksheet for each state covered by that program showing, for each unit identified as eligible for a first-round NUSA allocation, (1) the unit's emissions in the 2018 control period (annual or ozone season as applicable), (2) the maximum first-round 2019 NUSA allowance allocation for which the unit is eligible (typically the unit's emissions in the 2018 control period), (3) various adjustments to the unit's maximum allocation, many of which are necessary only if the NUSA pool is oversubscribed, and (4) the preliminary calculation of the unit's first-round 2019 NUSA allowance allocation.

Each state worksheet also contains a summary showing (1) the quantity of allowances initially available in that state's 2019 NUSA, (2) the sum of the first-round 2019 NUSA allowance allocations that will be made to new units in that state, assuming there are no corrections to the data, and (3) the quantity of allowances that would remain in the 2019 NUSA for use in second-round allocations to new units (or ultimately for allocation to existing units), again assuming there are no corrections to the data.

Objections should be strictly limited to the data and calculations upon which the NUSA allowance allocations are based and should be emailed to the address identified in **ADDRESSES**. Objections must include: (1) Precise identification of the specific data and/or calculations the commenter believes are inaccurate, (2) new proposed data and/or calculations upon which the commenter believes EPA should rely instead to determine allowance allocations, and (3) the reasons why EPA should rely on the commenter's proposed data and/or calculations and not the data referenced in this document.

EPA notes that an allocation or lack of allocation of allowances to a given

unit does not constitute a determination that CSAPR does or does not apply to the unit. EPA also notes that, under 40 CFR 97.411(c), 97.511(c), 97.611(c), 97.711(c), and 97.811(c), allocations are subject to potential correction if a unit to which allowances have been allocated for a given control period is not actually an affected unit as of the start of that control period.

Authority: 40 CFR 97.411(b), 97.511(b), 97.611(b), 97.711(b), and 97.811(b).

Dated: May 1, 2019.

Reid P. Harvey,

Director, Clean Air Markets Division, Office of Atmospheric Programs, Office of Air and Radiation.

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ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2019-0058; FRL-9994-09]

Pesticide Program Dialogue Committee; Request for Nominations to the Pesticide Program Dialogue Committee

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency's (EPA's) Office of Pesticide Programs is inviting nominations from a diverse range of qualified candidates to be considered for appointment to the Pesticide Program Dialogue Committee (PPDC). The PPDC is chartered to provide policy advice, information, and recommendations to the EPA on a wide variety of pesticide regulatory developments and reform initiatives, evolving public policy, and program implementation issues associated with evaluating and reducing risks from pesticide use. To maintain the representation outlined by the charter, nominees will be selected to represent: Environmental/public interest and animal rights groups; farm worker organizations; pesticide industry and trade associations; pesticide user, grower, and commodity groups; federal/state/local and tribal governments; academia; and public health organizations. Vacancies are expected to be filled by September 2019. Sources in addition to this **Federal Register** Notice may be utilized in the solicitation of nominees.

DATES: Nominations should be submitted no later than June 27, 2019.

ADDRESSES: Submit nominations in the format and containing the information specified in Unit III., identified by