

Commission's environmental review process.

The Commission considers all comments received about the project in determining the appropriate action to be taken. However, the filing of a comment alone will not serve to make the filer a party to the proceeding. To become a party, you must intervene in the proceeding. For instructions on how to intervene, see below.

#### Interventions

Any person, which includes individuals, organizations, businesses, municipalities, and other entities,<sup>4</sup> has the option to file a motion to intervene in this proceeding. Only intervenors have the right to request rehearing of Commission orders issued in this proceeding and to subsequently challenge the Commission's orders in the U.S. Circuit Courts of Appeal.

To intervene, you must submit a motion to intervene to the Commission in accordance with Rule 214 of the Commission's Rules of Practice and Procedure<sup>5</sup> and the regulations under the NGA<sup>6</sup> by the intervention deadline for the project, which is August 2, 2021. As described further in Rule 214, your motion to intervene must state, to the extent known, your position regarding the proceeding, as well as the your interest in the proceeding. [For an individual, this could include your status as a landowner, ratepayer, resident of an impacted community, or recreationist. You do not need to have property directly impacted by the project in order to intervene.] For more information about motions to intervene, refer to the FERC website at <https://www.ferc.gov/resources/guides/how-to-intervene.asp>.

There are two ways to submit your motion to intervene. In both instances, please reference the Project docket number CP21-469-000 in your submission.

(1) You may file your motion to intervene by using the Commission's eFiling feature, which is located on the Commission's website ([www.ferc.gov](http://www.ferc.gov)) under the link to Documents and Filings. New eFiling users must first create an account by clicking on "eRegister." You will be asked to select the type of filing you are making; first select "General" and then select "Intervention." The eFiling feature includes a document-less intervention option; for more information, visit <https://www.ferc.gov/docs-filing/efiling/document-less-intervention.pdf>; or

(2) You can file a paper copy of your motion to intervene, along with three copies, by mailing the documents to the address below.<sup>7</sup> Your motion to intervene must reference the Project docket number CP21-469-000.

Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426

The Commission encourages electronic filing of motions to intervene (option 1 above) and has eFiling staff available to assist you at (202) 502-8258 or [FercOnlineSupport@ferc.gov](mailto:FercOnlineSupport@ferc.gov).

Motions to intervene must be served on the applicant either by mail or email at: Gulf States Transmission LLC, 1300 Main Street, Houston, Texas 77002; or at [blair.lichtenwalter@energytransfer.com](mailto:blair.lichtenwalter@energytransfer.com). Any subsequent submissions by an intervenor must be served on the applicant and all other parties to the proceeding. Contact information for parties can be downloaded from the service list at the eService link on FERC Online. Service can be via email with a link to the document.

All timely, unopposed<sup>8</sup> motions to intervene are automatically granted by operation of Rule 214(c)(1).<sup>9</sup> Motions to intervene that are filed after the intervention deadline are untimely, and may be denied. Any late-filed motion to intervene must show good cause for being late and must explain why the time limitation should be waived and provide justification by reference to factors set forth in Rule 214(d) of the Commission's Rules and Regulations.<sup>10</sup> A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies (paper or electronic) of all documents filed by the applicant and by all other parties.

#### Tracking the Proceeding

Throughout the proceeding, additional information about the project will be available from the Commission's Office of External Affairs, at (866) 208-FERC, or on the FERC website at [www.ferc.gov](http://www.ferc.gov) using the "eLibrary" link as described above. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

<sup>7</sup> Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

<sup>8</sup> The applicant has 15 days from the submittal of a motion to intervene to file a written objection to the intervention.

<sup>9</sup> 18 CFR 385.214(c)(1).

<sup>10</sup> 18 CFR 385.214(b)(3) and (d).

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. For more information and to register, go to [www.ferc.gov/docs-filing/esubscription.asp](http://www.ferc.gov/docs-filing/esubscription.asp).

**Intervention Deadline:** 5:00 p.m. Eastern Time on Monday, August 2, 2021.

Dated: July 12, 2021.

**Kimberly D. Bose,**  
Secretary.

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**BILLING CODE 6717-01-P**

## ENVIRONMENTAL PROTECTION AGENCY

**[EPA-HQ-OGC-2021-0404; FRL-8740-01-OGC]**

### Proposed Consent Decree, Clean Air Act Citizen Suit

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

**ACTION:** Notice of proposed consent decree; request for public comment.

**SUMMARY:** In accordance with the Clean Air Act, as amended ("CAA" or the "Act"), the United States Environmental Protection Agency ("EPA") gives notice of a proposed consent decree in *Environmental Integrity Project v. Regan*, No. 1:21-cv-00009 (D.D.C.). In this litigation, Environmental Integrity Project ("EIP") alleged that the Administrator of EPA failed to perform certain non-discretionary duties to timely respond to petitions asking EPA to object to eight operating permits issued by the Texas Commission on Environmental Quality ("TCEQ"). The proposed consent decree would establish deadlines for EPA to take action in response to these petitions. The proposed consent decree does not require EPA to take any specific, particular action in response to the petitions.

**DATES:** Written comments on the proposed consent decree must be received by *August 18, 2021*.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-OGC-2021-0404, online at <https://www.regulations.gov> (EPA's preferred method). Follow the online instructions for submitting comments.

**Instructions:** All submissions received must include the Docket ID number for

<sup>4</sup> 18 CFR 385.102(d).

<sup>5</sup> 18 CFR 385.214.

<sup>6</sup> 18 CFR 157.10.

this action. Comments received may be posted without change to <https://www.regulations.gov/>, including any personal information provided. For detailed instructions on sending comments and additional information on the rulemaking process, see the “Additional Information about Commenting on the Proposed Consent Decree” heading under the **SUPPLEMENTARY INFORMATION** section of this document. Out of an abundance of caution for members of the public and our staff, the EPA Docket Center and Reading Room are closed to the public, with limited exceptions, to reduce the risk of transmitting COVID-19. Our Docket Center staff will continue to provide remote customer service via email, phone, and webform. We encourage the public to submit comments via <https://www.regulations.gov/>, as there may be a delay in processing mail and faxes. Hand deliveries and couriers may be received by scheduled appointment only. For further information on EPA Docket Center services and the current status, please visit us online at <https://www.epa.gov/dockets>.

The EPA continues to carefully and continuously monitor information from the CDC, local area health departments, and our Federal partners so that we can respond rapidly as conditions change regarding COVID-19.

**FOR FURTHER INFORMATION CONTACT:** Charles Starrs, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460; telephone: (202) 564-1996; email address: [starrs.charles@epa.gov](mailto:starrs.charles@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Obtaining a Copy of the Proposed Consent Decree**

The official public docket for this action (identified by Docket ID No. EPA-HQ-OGC-2021-0404) contains a copy of the proposed consent decree.

The electronic version of the public docket for this action contains a copy of the proposed consent decree and is available through <https://www.regulations.gov/>. You may use <https://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.”

##### **II. Additional Information About the Proposed Consent Decree**

The proposed consent decree would fully resolve a lawsuit filed by EIP, Sierra Club, Port Arthur Community Action Network, Environment Texas, and Neta Rhyne (the “Plaintiffs”) seeking to compel the Administrator to take action, in accordance with CAA section 505(b)(2), 42 U.S.C. 7661d(b)(2), to respond to eight petitions. The lawsuit, *Environmental Integrity Project v. Regan*, No. 1:21-cv-00009, was filed in the United States District Court for the District of Columbia on January 4, 2021.

In this action, the Plaintiffs allege that TCEQ issued, at various times under Title V of the CAA (42 U.S.C. 7661-7661f), operating permits to eight facilities located in Texas: The ETC Texas Pipeline Ltd.’s Waha Gas Plant (located in Pecos County); Premcor Refining Group Inc.’s Port Arthur Refinery (located in Jefferson County); Sandy Creek Services, LLC’s Sandy Creek Energy Station (located in McLennan County); Phillips 66’s Borger Refinery (located in Hutchinson County); Kinder Morgan Crude & Condensate LLC’s Galena Park Facility (located in Galena Park, Harris County); Oak Grove Management Company’s Oak Grove Steam Electric (located in Robertson County); BP Amoco Chemical Company’s Texas City Chemical Plant (located in Galveston County); and Blanchard Refining Company LLC’s Galveston Bay Refinery (located in Galveston County). The Plaintiffs also allege that they submitted to EPA petitions asking EPA to object to the eight operating permits issued by TCEQ and that EPA has failed to meet its nondiscretionary duty to timely respond to those petitions.

Under the terms of the proposed consent decree, EPA shall, in accordance with a stated schedule, sign responses to the eight petitions at issue in the litigation. The schedule requires EPA to sign responses to: Three of the eight petitions by August 31, 2021; an additional one of the petitions by September 30, 2021; an additional one of the petitions by October 31, 2021; an additional one of the petitions by November 30, 2021; an additional one of the petitions by December 31, 2021; and an additional one of the petitions by January 31, 2022. In accordance with that schedule, EPA will respond to all the petitions not later than January 31, 2022. EPA retains discretion to determine the order of its petition responses or which petition response is made by which date. Although the proposed consent decree requires EPA

action in accordance with a schedule, it does not dictate the substance or specific nature of EPA’s responses to the petitions. The proposed consent decree also requires that, as EPA responds to the petitions, EPA shall send notice of the response to the Office of the Federal Register for publication in the **Federal Register**. See the proposed consent decree in the docket for other terms and conditions.

In accordance with section 113(g) of the CAA, for a period of thirty (30) days following the date of publication of this notice, the Agency will accept written comments relating to the proposed consent decree. EPA or the Department of Justice may withdraw or withhold consent to the proposed consent decree if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act.

##### **III. Additional Information About Commenting on the Proposed Consent Decree**

Submit your comments, identified by Docket ID No. EPA-HQ-OGC-2021-0404, via <https://www.regulations.gov>. Once submitted, comments cannot be edited or removed from this docket. The EPA may publish any comment received to its public docket. Do not submit to EPA’s docket at <https://www.regulations.gov> any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>. For additional information about submitting information identified as CBI, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section of this document. Note that written comments containing CBI and submitted by mail may be delayed and deliveries or couriers will be received by scheduled appointment only.

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. 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 <https://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.

Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments.

**Gautam Srinivasan,**

*Associate General Counsel.*

[FR Doc. 2021-15240 Filed 7-16-21; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OAR-2020-0599; FRL-8194-02-OAR]

### Notice of Final Approval for an Alternative Means of Emission Limitation

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

**ACTION:** Notice; final approval.

**SUMMARY:** This action announces the Environmental Protection Agency (EPA) approval of the request by Rohm and Haas Chemicals LLC, a subsidiary of The Rohm and Haas Chemical Company (Rohm and Haas), under the Clean Air Act (CAA) for an alternative means of emission limitation (AMEL) for the Standards of Performance for Volatile Organic Liquid Storage Vessels. The AMEL applies to a proposed new vinyl acetate bulk storage tank to be used at its chemical plant in Kankakee, Illinois. The EPA received no adverse comments

on the request. This approval document specifies the operating conditions and monitoring, recordkeeping, and reporting requirements that this facility must follow to demonstrate compliance with the approved AMEL.

**DATES:** The approval of the AMEL request from Rohm and Haas to operate its storage tank in Kankakee, Illinois, as specified in this document, is effective on July 19, 2021.

**ADDRESSES:** The EPA has established a docket for this action under Docket ID No. EPA-HQ-OAR-2020-0599. All documents in the docket are listed on the <https://www.regulations.gov> website. Although listed, some information is not publicly available, e.g., Confidential Business Information 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 either electronically through <https://www.regulations.gov>.

Out of an abundance of caution for members of the public and our staff, the EPA Docket Center and Reading Room are closed to the public, with limited exceptions, to reduce the risk of transmitting COVID-19. Our Docket Center staff will continue to provide remote customer service via email, phone, and webform. For further information and updates on EPA Docket Center services, please visit us online at <https://www.epa.gov/dockets>. The EPA continues to carefully and continuously monitor information from the Center for Disease Control, local area health departments, and our Federal partners so that we can respond rapidly as conditions change regarding COVID-19.

**FOR FURTHER INFORMATION CONTACT:** For questions about this final action, contact Ms. Angie Carey, Sector Policies and Programs Division (E143-01), Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711; telephone number: (919) 541-2187; fax number: (919) 541-0516; and email address: [carey.angela@epa.gov](mailto:carey.angela@epa.gov).

**SUPPLEMENTARY INFORMATION:** *Preamble acronyms and abbreviations.* We use multiple acronyms and terms in this preamble. While this list may not be exhaustive, to ease the reading of this preamble and for reference purposes, the EPA defines the following terms and acronyms here:

AMEL alternative means of emission limitation

CAA Clean Air Act

CFR Code of Federal Regulations

EPA Environmental Protection Agency  
HAP hazardous air pollutant(s)  
NESHAP national emission standards for hazardous air pollutants  
NSPS new source performance standards  
OAQPS Office of Air Quality Planning and Standards  
PRD pressure relief device  
PRV pressure relief valve  
VAM vinyl acetate monomer  
VOC volatile organic compound(s)

*Organization of this document.* The information in this document is organized as follows:

- I. Background
- II. Summary of Public Comments on the AMEL Request
- III. AMEL for the Storage Tank

### I. Background

On February 8, 2021, the EPA provided public notice and solicited comment on the request under section 111(h)(3) of the CAA by Rohm and Haas for an alternative means of emission limitation (AMEL) for the Standards of Performance for Volatile Organic Liquid Storage Vessels, 40 CFR part 60 subpart Kb, 40 CFR 60.112b, that would apply to a proposed new vinyl acetate bulk storage tank to be used at its chemical plant in Kankakee, Illinois (see 86 FR 8618). The volatile organic compound (VOC) standards at 40 CFR 60.112b were established as work practice standards pursuant to CAA section 111(h)(1). For standards established according to that provision, CAA section 111(h)(3) allows the EPA to permit the use of an AMEL by a source if, after notice and opportunity for public hearing, it is established to the Administrator's satisfaction that such AMEL will achieve emissions reductions at least equivalent to the reductions required under the applicable CAA section 111(h)(1) standards. NSPS subpart Kb also includes specific regulatory provisions (i.e., 40 CFR 114b) allowing sources to request an AMEL for the VOC standards at 40 CFR 60.112b.

In the initial notice, the EPA solicited comment on all aspects of the AMEL request, including the operating conditions specified in that document that are necessary to achieve a reduction in emissions of volatile organic compounds at least equivalent to the reductions required by 40 CFR 60.112b. Rohm and Haas intends to replace the existing vinyl acetate monomer (VAM) (CAS 108-05-4) tank (TK-72) with the proposed bulk storage tank.

Rohm and Haas included in its AMEL application information to demonstrate that the proposed bulk storage tank, through its vapor balancing system and