

annualized capital or operation & maintenance costs.

Changes in the Estimates: The number of manufacturers remains at eight and we do not anticipate any net changes in that figure in the next three years. The decrease in anticipated costs is due to the removal of three emissions applications.

Courtney Kerwin,

Director, Collection Strategies Division.

[FR Doc. 2019-20886 Filed 9-25-19; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-10000-32-OAR]

Production of Confidential Business Information in Civil Litigation; Transfer of Information Claimed as Confidential Business Information to the United States Department of Justice and Parties to Certain Litigation

AGENCY: Environmental Protection Agency (EPA)

ACTION: Notice.

SUMMARY: The U.S. Environmental Protection Agency (EPA) is providing notice of disclosure of information which has been submitted to the EPA by

owners/operators of oil and natural gas facilities that is claimed to be, or has been determined to be, confidential business information (CBI), in civil litigation styled *State of New York et al. v. EPA*, No. 18-cv-773, pending in the United States District Court for the District of Columbia (Litigation). Disclosure is in response to discovery requests from Plaintiffs in this Litigation. The court has entered a Protective Order applicable to all parties that governs the treatment of CBI during and after this Litigation.

DATES: Access by the United States Department of Justice (DOJ) and/or the parties to this Litigation to material, including CBI, discussed in this document, will be ongoing and expected to continue during the Litigation.

FOR FURTHER INFORMATION CONTACT: Interested parties may contact Ms. Penny Lassiter, Office of Air Quality Planning and Standards, Sector Policies and Programs Division (D205-01), Environmental Protection Agency, Research Triangle Park, North Carolina 27711; telephone number: (888) 372-8696; email address: icr@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Does this action apply to me?

Entities potentially affected by this action include owners/operators of oil

and natural gas facilities who have submitted information to the EPA that is claimed to be, or has been determined to be, CBI. There are several industry segments that may be considered oil and natural gas facilities. Those facilities that may be affected by this action include the following industry segments: Onshore petroleum and natural gas production, onshore petroleum and natural gas gathering and boosting, onshore natural gas processing, onshore natural gas transmission compression, onshore natural gas transmission pipelines, underground natural gas storage, liquified natural gas (LNG) storage, and LNG import and export equipment.

The table below presents some examples of potentially affected entities according to the North American Industry Classification System (NAICS) code. This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities that may be impacted by this action. Other types of entities not listed in the table could also be impacted. If you have any questions regarding the applicability of this action, consult the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

| Category | NAICS Codes | Examples of potentially affected entities |
|---|--|--|
| Petroleum and Natural Gas Systems. | 211111 211112 221210 486110 486210 | Crude petroleum and natural gas extraction. Natural gas liquid extraction. Natural gas distribution. Pipeline distribution of crude oil. Pipeline transportation of natural gas. |

II. Action Description

The Plaintiffs filed this action to compel the EPA “to comply with the nondiscretionary duty under the Clean Air Act (Act) to establish guidelines for limiting methane emissions from existing sources in the oil and natural gas sector, thereby remedying EPA’s unreasonable delay in establishing such emission guidelines.” *New York et al. v. EPA*, No. 1:18-cv-773, ECF Document No. 1 at 1 (D.D.C.). Plaintiffs in this action include the following: State of California, State of Connecticut, State of Illinois, State of Iowa, State of Maine, State of Maryland, Commonwealth of Massachusetts, State of New Mexico, State of Oregon, Commonwealth of Pennsylvania, State of Rhode Island, State of Vermont, State of Washington, District of Columbia, City of Chicago, and the Environmental Defense Fund (Plaintiff-Intervenor). Notice is being provided, pursuant to 40 CFR 2.209(d),

to inform affected businesses that the EPA intends to transmit certain information which has been submitted by owners/operators of oil and natural gas facilities that is claimed to be, or has been determined to be, CBI, to the parties in this Litigation. The information includes communications with, and information provided by owners/operators of, oil and natural gas facilities in connection with the Information Collection Request (ICR) that the EPA issued to the oil and natural gas industry in 2016. See <https://www.epa.gov/controlling-air-pollution-oil-and-natural-gas-industry/oil-and-natural-gas-information-collection>. Such information includes, but is not limited to, information submitted during development of the ICR (including the two rounds of public comment); information submitted in response to the ICR letter, including data (e.g., completed surveys); questions about the ICR; and/or requests to the

EPA for an exemption from or an extension of the deadlines for responding to the ICR.

The treatment of this information is governed by the Protective Order entered into by the parties to this Litigation. Interested third parties may find the Protective Order in the docket for the Litigation. *New York et al. v. EPA*, No. 1:18-cv-773, ECF Document No. 53 (D.D.C.). The Protective Order governs the distribution of CBI, limits its use to this Litigation, and provides for its return or destruction at the conclusion of the Litigation. In accordance with 40 CFR 2.209(c)-(d), DOJ must disclose such information to the extent required to comply with the discovery obligations of the EPA in this Litigation, including its obligations under the Protective Order.

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]

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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 (NO₂), and one amendment to an existing reference method for measuring PM₁₀ 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.

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

NO₂ 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 NO₂ 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_x 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 NO₂ 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 PM₁₀ 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 PM₁₀ is a manual monitoring method based on a specific PM₁₀ 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 PM₁₀ 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 PM₁₀ operating manual. This designation applies to PM₁₀ 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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