

demonstration pursuant to section 189(a)(1)(B); the reasonably available control measure (RACM) provisions of section 189(a)(1)(C); the reasonable further progress (RFP) provisions of section 189(c); and, the attainment demonstration, RACM, RFP and contingency measure provisions of part D, subpart 1 contained in section 172.

Lastly, EPA finds that our obligation to promulgate a FIP addressing the Paul Spur/Douglas NA attainment-related requirements is suspended for as long as the underlying State obligation is suspended.

This final action does not constitute a redesignation to attainment under CAA section 107(d)(3) because Arizona has not submitted a maintenance plan and EPA has not approved such a plan for the Paul Spur/Douglas NA as meeting the requirements of section 175A of the CAA, nor has EPA determined that Arizona has met the other CAA requirements for redesignation. The classification and designation status in 40 CFR part 81 remains moderate nonattainment for the Paul Spur/Douglas NA until such time as EPA determines that Arizona has met the CAA requirements for redesignating the Paul Spur/Douglas NA to attainment.

#### IV. Statutory and Executive Order Reviews

With this action, we are making a determination regarding attainment of the PM<sub>10</sub> NAAQS based on air quality data and, based on this determination, suspending certain Federal requirements. Therefore, this action would not impose additional requirements beyond those imposed by State law or by the CAA. For that reason, this action:

- Is not a “significant regulatory action” subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);

- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);

- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);

- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act; and

- Does not provide EPA with the discretionary authority to address disproportionate human health or environmental effects with practical, appropriate, and legally permissible methods under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this action does not have Tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP obligations discussed herein do not apply to Indian Tribes and thus will not impose substantial direct costs on Tribal governments or preempt Tribal law.

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by October 1, 2012. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements (see section 307(b)(2)).

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by

reference, Intergovernmental relations, Particulate matter, Reporting and recordkeeping requirements.

**Authority:** 42 U.S.C. 7401 *et seq.*

Dated: July 20, 2012.

**Jared Blumenfeld,**

*Regional Administrator, EPA Region IX.*

[FR Doc. 2012–18666 Filed 8–1–12; 8:45 am]

**BILLING CODE 6560–50–P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 63

[EPA–HQ–OAR–2009–0234; EPA–HQ–OAR–2011–0044, FRL 9710–1]

**RIN 2060–AR62**

### National Emission Standards for Hazardous Air Pollutants from Coal- and Oil-Fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial-Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units: Notice of Partial Stay

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

**ACTION:** Partial stay of effectiveness of final rule.

**SUMMARY:** This action stays the effectiveness of national new source emission standards for hazardous air pollutants from coal- and oil-fired electric utility steam generating units issued pursuant to Clean Air Act section 112 that were published in the **Federal Register** on February 16, 2012 (77 FR 9304).

**DATES:** The effective date of 40 CFR 63.9984(a), 63.10005(g), 63.10030(c), Table 1 to subpart UUUUU of 40 CFR part 63, and row 2 of Table 3 to subpart UUUUU of 40 CFR part 63, published in the **Federal Register** on February 16, 2012 (77 FR 9304), is stayed until November 2, 2012.

**FOR FURTHER INFORMATION CONTACT:** Mr. William Maxwell, Energy Strategies Group, Sector Policies and Programs Division, (D243–01), Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711; Telephone number: (919) 541–5430; Fax number (919) 541–5450; Email address: [maxwell.bill@epa.gov](mailto:maxwell.bill@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

On February 16, 2012, the EPA issued the National Emission Standards for Hazardous Air Pollutants from Coal-

and Oil-fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial-Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units, generally referred to as the mercury and air toxics standards (MATS Rule), which established emissions standards for new and existing coal- and oil-fired electric utility steam generating units. The EPA received petitions, pursuant to section 307(d)(7)(B) of the Clean Air Act, from a number of interested parties requesting reconsideration of certain issues in the rule. On July 20, 2012, the EPA issued a letter, stating its intent to grant the petitions for reconsideration on certain new source issues related to the emission standards issued under Clean Air Act section 112, including measurement issues related to mercury and the data set to which the variability calculation was applied when establishing the new source standards for particulate matter and hydrochloric acid.

The Clean Air Act authorizes the EPA to stay the effectiveness of a rule if the Administrator has convened a proceeding to reconsider the rule. Under section 307(d)(7)(B) of the Act, "The effectiveness of the rule may be stayed during \* \* \* reconsideration \* \* \* by the Administrator or the court for a period not to exceed three months." 42 U.S.C. 7607(d)(7)(B). In its letter granting the petitions for reconsideration on certain issues relating to the Clean Air Act section 112 new source standards, the EPA stated that it intended to exercise its authority under section 307(d) to stay the effectiveness of those new source standards for 3 months.

## II. Issuance of a Partial Stay Relating to Clean Air Act Section 112(d) New Source Standards

Pursuant to section 307(d)(7)(B) of the Clean Air Act, the EPA hereby stays the effectiveness of 40 CFR 63.9984(a), 63.10005(g), 63.10030(c), Table 1 in subpart UUUUU of 40 CFR part 63, and row 2 of Table 3 in subpart UUUUU of 40 CFR part 63 for 3 months. Thus, by this action, we are staying the effectiveness of these provisions of the rule, published in the **Federal Register** on February 16, 2012 (77 FR 9304). Accordingly, this action also stays the effectiveness of any monitoring, recordkeeping, and reporting requirements related to the section 112(d) new source standards. This stay does not apply to any other provisions of the rule.

This stay of effectiveness will remain in place until November 2, 2012.

## List of Subjects in 40 CFR Part 63

Environmental protection, Administrative practice and procedure, Air pollution control, Hazardous substances, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: July 27, 2012.

**Lisa P. Jackson,**

*Administrator.*

[FR Doc. 2012-18871 Filed 8-1-12; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 300

[EPA-HQ-SFUND-1999-0010; FRL 9704-4]

### National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Partial Deletion of the Eastland Woolen Mill Superfund Site

**AGENCY:** Environmental Protection Agency.

**ACTION:** Direct final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) Region 1 is publishing a direct final Notice of Partial Deletion for portions of the Eastland Woolen Mill Superfund Site (Site), located in Corinna, Maine, from the National Priorities List (NPL).

The NPL, promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended, is an appendix of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). This direct final partial deletion is being published by EPA with the concurrence of the State of Maine, through the Maine Department of Environmental Protection, because EPA has determined that all appropriate response actions at these identified parcels under CERCLA, other than five-year reviews, have been completed. However, this partial deletion does not preclude future actions under Superfund.

This partial deletion pertains to all Site media (soil and groundwater) of the properties proposed for deletion.

**DATES:** This direct final partial deletion is effective October 1, 2012 unless EPA receives adverse comments by September 4, 2012. If adverse comments are received, EPA will publish a timely withdrawal of the direct final partial deletion in the **Federal Register** informing the public that the partial deletion will not take effect.

**ADDRESSES:** Submit your comments, identified by Docket ID no. EPA-HQ-SFUND-1999-0010, by one of the following methods:

- <http://www.regulations.gov>. Follow on-line instructions for submitting comments.

- *Email:* [hathaway.ed@epa.gov](mailto:hathaway.ed@epa.gov).

- *Fax:* 1-617-918-0372.

- *Mail:* Edward Hathaway, U.S. EPA Remedial Project Manager, 5 Post Office Square (OSRR07-1), Boston, MA 02109-3912.

- *Hand delivery:* Edward Hathaway, U.S. EPA Remedial Project Manager, 5 Post Office Square (OSRR07-1), Boston, MA 02109-3912. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

*Instructions:* Direct your comments to Docket ID no. EPA-HQ-SFUND-1999-0010. 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 whose disclosure is restricted by statute. Do not submit information that you consider to be CBI, or otherwise protected, through <http://www.regulations.gov> or email. The <http://www.regulations.gov> Web site is an "anonymous access" system, which means 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 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, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. 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. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

*Docket:* All documents in the docket are listed in the <http://www.regulations.gov> index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other