

## ENVIRONMENTAL PROTECTION AGENCY

[Regional Docket Nos. V–2016–21, FRL–9964–48–Region 5]

### Clean Air Act Operating Permit Program; Action on Petition for Objection to State Operating Permit for Waupaca Foundry Plants 2/3

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

**ACTION:** Notice of final Order on petition to object to Clean Air Act Title V operating permit.

**SUMMARY:** This document announces that the Environmental Protection Agency (EPA) Administrator has denied a petition from Philip Nolan asking EPA to object to a Title V operating permit issued by the Wisconsin Department of Natural Resources (WDNR) to Waupaca Foundry Plants 2/3 (Waupaca). Sections 307(b) and 505(b)(32) of the Clean Air Act (Act) provide that a petitioner may ask for judicial review of those portions of the petition that EPA denies in the United States Court of Appeals for the appropriate circuit. Any petition for review shall be filed within 60 days from the date this notice appears in the **Federal Register**, pursuant to section 307 of the Act.

**ADDRESSES:** You may review copies of the final Order, the petition, and other supporting information at the EPA Region 5 Office, 77 West Jackson Boulevard, Chicago, Illinois 60604. If you wish to examine these documents, you should make an appointment at least 24 hours before the day you would like to visit. Additionally, the final Order for the Waupaca petition is available electronically at: <https://www.epa.gov/title-v-operating-permits/title-v-petition-database>.

**FOR FURTHER INFORMATION CONTACT:** Genevieve Damico, Chief, Air Permits Section, Air Programs Branch, Air and Radiation Division, EPA, Region 5, 77 West Jackson Boulevard AR–18J, Chicago, Illinois 60604, telephone (312) 353–4761.

**SUPPLEMENTARY INFORMATION:** The Act affords EPA a 45-day period to review and object, as appropriate, to Title V operating permits proposed by state permitting authorities. Section 505(b)(2) of the Act authorizes any person to petition the EPA Administrator within 60 days after the expiration of the EPA review period to object to a Title V operating permit if EPA has not done so. A petition must be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided by the

state, unless the petitioner demonstrates that it was impracticable to raise issues during the comment period, or the grounds for the issues arose after this period.

EPA received a petition dated December 1, 2016, from Philip Nolan (Petitioner) requesting that EPA object to the Title V operating permit for Waupaca. The Petitioner alleged that the permit is not in compliance with the requirements of the Act. Specifically, the Petitioner alleged that: (1) The permit does not comply with Section 112 of the Act and the National Emission Standard for Hazardous Air Pollutants for the iron and steel foundry industry and the definition of benzene, (2) actual emissions from the facility have created and sustained lethal hazardous air pollutant (HAP) concentrations in Waupaca County, (3) the WDNR mistakenly applied Chapter NR 445 requirements (Wisconsin's state HAP program), (4) the modeling procedures were not correct.

On June 7, 2017, the Administrator issued an Order denying the petition. The Order explains the reasons behind EPA's conclusion.

Dated: June 19, 2017.

**Robert A. Kaplan,**

*Acting Regional Administrator, Region 5.*

[FR Doc. 2017–14840 Filed 7–13–17; 8:45 am]

**BILLING CODE 6560–50–P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OAR–2017–0231; FRL–9964–70–OAR]

### Proposed Approval of the Central Characterization Project's Transuranic Waste Characterization Program at Los Alamos National Laboratory and Elimination of Distinction Between Retrievably-Stored and Newly-Generated Transuranic Waste Destined for Disposal at the Waste Isolation Pilot Plant

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

**ACTION:** Notice of availability; request for public comments.

**SUMMARY:** The Environmental Protection Agency (EPA or the Agency) is announcing the availability of, and soliciting public comment on, two actions.

February 7–9, 2017, the Agency conducted a new baseline inspection of the Los Alamos waste characterization program, in accordance with the WIPP Compliance Criteria and Condition 3 of the EPA's May 13, 1998 initial WIPP

certification. The inspection evaluated the technical adequacy of this program's characterization of contact-handled (CH) TRU debris and solid waste. The EPA is proposing to approve a new LANL baseline that includes the significant changes the U.S. Department of Energy's (DOE's) Central Characterization Program (CCP) is implementing at Los Alamos. The TRU waste characterization program changes, particularly to the Acceptable Knowledge process, referred to as "enhanced AK", address deficiencies identified by the DOE as among the root causes of the February 2014 radiation release at the WIPP. The EPA's baseline inspection report is available for review in the public dockets listed in the **ADDRESSES** section of this document. Until the EPA finalizes its baseline approval decision, the DOE Carlsbad Field Office (CBFO) may not recertify LANL–CCP's TRU waste characterization program and LANL–CCP may not ship any TRU waste to the WIPP for disposal.

The EPA is also proposing to eliminate the distinction between retrievably-stored and newly-generated TRU waste characterized to meet the EPA's regulatory requirements for disposal at the WIPP. Since the July 2004 revisions to the WIPP Compliance Criteria (specifically the site inspection and approval process), the EPA has identified characterization of newly-generated waste as a Tier 1 change when issuing the site-specific baseline approvals. Elimination of any Tier 1 change requirement is subject to public comment.

**DATES:** Comments must be received on or before August 28, 2017.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA–HQ–OAR–2017–0231, to the *Federal eRulemaking Portal*: <https://www.regulations.gov>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or withdrawn. The EPA may publish any comment received to its public docket. Do not electronically submit 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