

EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely proposes to approve state law as meeting federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a "significant regulatory action" subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);

- Is not an Executive Order 13771 (82 FR 9339, February 2, 2017) regulatory action because SIP approvals are exempted under Executive Order 12866;

- 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 (Public Law 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 CAA; and

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

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the proposed rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Greenhouse gases, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

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

Dated: February 6, 2019.

**Douglas Benevento,**

*Regional Administrator, EPA Region 8.*

[FR Doc. 2019-01908 Filed 2-11-19; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 131

[EPA-HQ-OW-2018-0056; FRL-9989-46-OW]

### Extension of Public Comment Period for Water Quality Standards; Establishment of a Numeric Criterion for Selenium for the State of California

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

**ACTION:** Notice; extension of comment period.

**SUMMARY:** The Environmental Protection Agency (EPA) is extending the comment period for the proposed rule "Water Quality Standards; Establishment of a Numeric Criterion for Selenium for the State of California" for an additional 45 days, from February 11, 2019, to March 28, 2019. The EPA will offer virtual public hearings on the proposed rule via the internet on March 19, 2019, and March 20, 2019. The EPA is taking this action in order to ensure the public comment period remains open to accommodate the public hearings, originally scheduled for January 29, 2019, and January 30, 2019, and rescheduled due to the recent federal government shutdown. This extension is necessary to comply with public notice requirements.

**DATES:** Comments must be received on or before March 28, 2019.

**ADDRESSES:** *Comments:* Submit your comments, identified by Docket ID No. EPA-HQ-OW-2018-0056, at <https://www.regulations.gov> (our preferred method), or the other methods identified at <https://www.epa.gov/dockets/commenting-epa-dockets>. Once submitted, comments cannot be edited or removed from the docket. The EPA may publish any comment received to

its public docket. Do not submit electronically 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 generally will 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>.

**Docket:** All documents in the docket are listed in the [www.regulations.gov](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 material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in [www.regulations.gov](http://www.regulations.gov) or in hard copy at two Docket Facilities. The Office of Water (OW) Docket Center is open from 8:30 a.m. until 4:30 p.m., Monday through Friday, excluding legal holidays. The Docket telephone number is (202) 566-2426 and the Docket address is OW Docket Center, WJC West Building, Room 3334, 1301 Constitution Ave. NW, Washington, DC 20004. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744.

**Public Hearings:** The EPA is offering two online public hearings so that interested parties may provide oral comments on this proposed rulemaking. For more details on the public hearings and a link to register, please visit <https://www.epa.gov/wqs-tech/water-quality-standards-establishment-numeric-criterion-selenium-fresh-waters-california>.

**FOR FURTHER INFORMATION CONTACT:** Danielle Anderson, Office of Water, Standards and Health Protection Division (4305T), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460; telephone number: (202) 564-1631; email address: [Anderson.Danielle@epa.gov](mailto:Anderson.Danielle@epa.gov); or Diane E. Fleck, P.E., Esq., Water Division (WTR-2-1), U.S.

Environmental Protection Agency  
Region 9, 75 Hawthorne Street, San  
Francisco, CA 94105; telephone  
number: (415) 972-3527; email address:  
*Fleck.Diane@EPA.gov*.

**SUPPLEMENTARY INFORMATION:** On  
December 13, 2018, the Environmental  
Protection Agency (EPA) published the  
proposed rule, “Water Quality  
Standards; Establishment of a Numeric  
Criterion for Selenium for the State of  
California” in the **Federal Register** (83  
FR 64059). The EPA is proposing to  
establish a federal Clean Water Act  
(CWA) selenium water quality criterion  
applicable to California that protects  
aquatic life and aquatic-dependent  
wildlife in the fresh waters of California.

The original deadline to submit  
comments on the proposed rule was  
February 11, 2019, and the public  
hearings were originally scheduled for  
January 29, 2019, and January 30, 2019.  
This action extends the comment period  
for 45 days. Due to the recent federal  
government shutdown, the public  
hearings have been rescheduled for  
March 19, 2019, and March 20, 2019,  
and written comments must now be  
received by March 28, 2019. Under  
CWA section 303(c)(1) and the EPA’s  
regulation at 40 CFR 131.20, states and  
authorized tribes are required to hold  
public hearings when revising water  
quality standards. When preparing for  
or conducting such public hearings,  
states and authorized tribes must  
comply with the EPA’s public hearing  
requirements at 40 CFR 25.5. Under 40  
CFR 131.22(c), when the EPA  
promulgates a federal water quality  
standard for a state, it must comply with  
the same procedures established for  
states and authorized tribes. These  
provisions include requirements for  
providing at least 45 days advance  
notice of a public hearing. This public  
comment period is extended in order to  
accommodate complying with the  
public hearing requirements and to  
ensure the public comment period  
remains open to accommodate the  
rescheduled public hearings. Notice of  
the rescheduled public hearings was  
posted on the EPA’s website on January  
30, 2019 at [https://www.epa.gov/wqs-  
tech/water-quality-standards-  
establishment-numeric-criterion-  
selenium-fresh-waters-california](https://www.epa.gov/wqs-tech/water-quality-standards-establishment-numeric-criterion-selenium-fresh-waters-california).

The EPA will offer virtual public  
hearings on the proposed rule via the  
internet on Tuesday, March 19, 2019,  
from 9:00 a.m.–11:00 a.m. Pacific Time  
and Wednesday, March 20, 2019, from  
4:00 p.m.–6:00 p.m. Pacific Time. For  
details on these public hearings, as well  
as registration information, please visit  
<https://www.epa.gov/wqs-tech/water->

*quality-standards-establishment-  
numeric-criterion-selenium-fresh-  
waters-california*.

Dated: February 6, 2019.

**David P. Ross,**

*Assistant Administrator, Office of Water.*

[FR Doc. 2019-02072 Filed 2-11-19; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Chapter I

[EPA-HQ-OPPT-2018-0682; FRL-9988-56]

#### Asbestos; TSCA Section 21 Petition; Reasons for Agency Response

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

**ACTION:** Petition; reasons for Agency  
response.

**SUMMARY:** This document provides the  
reasons for EPA’s response to a  
September 27, 2018, petition it received  
under the Toxic Substances Control Act  
(TSCA) from the following  
organizations: Asbestos Disease  
Awareness Organization, American  
Public Health Association, Center for  
Environmental Health, Environmental  
Working Group, Environmental Health  
Strategy Center, and Safer Chemicals  
Healthy Families (“petitioners”).  
Generally, the petitioners requested that  
EPA make multiple amendments to the  
Chemical Data Reporting (CDR) rule  
under TSCA by January 1, 2019, in  
order to increase the reporting of  
asbestos. After careful consideration,  
EPA denied the petition for the reasons  
discussed in this document.

**DATES:** EPA’s response to this TSCA  
section 21 petition was signed on  
December 21, 2018, and a copy is  
available in the docket.

#### FOR FURTHER INFORMATION CONTACT:

*For technical information contact:*  
Tyler Lloyd, Chemical Control Division  
(7405M), Office of Pollution Prevention  
and Toxics, Environmental Protection  
Agency, 1200 Pennsylvania Ave. NW,  
Washington, DC 20460-0001; telephone  
number: (202) 564-4016; email address:  
*lloyd.tyler@epa.gov*.

*For general information contact:* The  
TSCA-Hotline, ABVI-Goodwill, 422  
South Clinton Ave., Rochester, NY  
14620; telephone number: (202) 554-  
1404; email address: *TSCA-Hotline@  
epa.gov*.

**SUPPLEMENTARY INFORMATION:**

## I. General Information

### A. Does this action apply to me?

This action is directed to the public  
in general. This action may, however, be  
of particular interest to those persons  
who manufacture or process or may  
manufacture (which includes import) or  
process the chemical asbestos (CAS No.  
1332-21-4). Since other entities may  
also be interested, the Agency has not  
attempted to describe all the specific  
entities that may be affected by this  
action.

### B. How can I access information about this petition?

The docket for this TSCA section 21  
petition, identified by docket  
identification (ID) number EPA-HQ-  
OPPT-2018-0682, is available at  
<https://www.regulations.gov> or at the  
Office of Pollution Prevention and  
Toxics Docket (OPPT Docket),  
Environmental Protection Agency  
Docket Center (EPA/DC), West William  
Jefferson Clinton Bldg., Rm. 3334, 1301  
Constitution Ave. NW, Washington, DC.  
The Public Reading Room is open from  
8:30 a.m. to 4:30 p.m., Monday through  
Friday, excluding legal holidays. The  
telephone number for the Public  
Reading Room is (202) 566-1744, and  
the telephone number for the OPPT  
Docket is (202) 566-0280. Please review  
the visitor instructions and additional  
information about the docket available  
at <https://www.epa.gov/dockets>.

## II. TSCA Section 21

### A. What is a TSCA section 21 petition?

Under TSCA section 21 (15 U.S.C.  
2620), any person can petition EPA to  
initiate a rulemaking proceeding for the  
issuance, amendment, or repeal of a rule  
under TSCA sections 4, 6, or 8, or an  
order under TSCA sections 4, 5(e), or (f).  
A TSCA section 21 petition must set  
forth the facts which it is claimed  
establish that it is necessary to initiate  
the action requested. EPA is required to  
grant or deny the petition with 90 days  
of its filing. If EPA grants the petition,  
the Agency must promptly commence  
an appropriate proceeding. If EPA  
denies the petition, the Agency must  
publish its reasons for the denial in the  
**Federal Register**. A petitioner may  
commence a civil action in a U.S.  
district court to compel initiation of the  
requested rulemaking proceeding either  
within 60 days of either a denial or, if  
EPA does not issue a decision, within  
60 days of the expiration of the 90-day  
period.