

In this case, all of the monitoring sites had a design value less than 0.085 ppm based on the 2007–2009 monitoring period, thus showing that the area met its June 15, 2010 deadline to attain the 1997 eight-hour ozone standards. The data in Table 2 show that the monitoring design values remained below 0.085 through 2008–2010. Preliminary 2011 air quality data indicate the area continues to attain the 1997 eight-hour ozone standard.

VII. Proposed Actions

For the reasons set forth in this action, EPA is proposing four separate and independent determinations related to the NY-NJ-CT one-hour and 1997 eight-hour ozone nonattainment areas. These determinations are based upon complete, quality-assured and certified ozone monitoring data. First, with respect to the one-hour ozone standard, and pursuant to EPA's authority to ensure implementation of one-hour ozone anti-backsliding requirements and CAA section 301, EPA is proposing to determine that data for 2005–2007 show that the NY-NJ-CT area previously failed to attain the one-hour standard by its applicable November 15, 2007 attainment deadline. Second, however, EPA is proposing to determine that the NY-NJ-CT area is currently attaining the one-hour ozone standard, based on more recent 2008–2010 data and preliminary data for 2011. These proposed determinations regarding the one-hour standard, if finalized, would bear on the area's obligation with respect to one-hour anti-backsliding requirements for section 172(c)(9) contingency measures for failure to attain and sections 182(d)(3) and 185 major stationary source fee programs.

Third, with respect to the 1997 eight-hour ozone standard, in accordance with section 181(b) of the CAA, EPA proposes to determine that data for 2007–2009 show the NY-NJ-CT eight-hour ozone nonattainment area attained the 1997 eight-hour ozone standard by its June 15, 2010 attainment deadline. Fourth, EPA is also proposing to determine that the NY-NJ-CT eight-hour ozone nonattainment area currently continues to attain the eight-hour ozone NAAQS, based on data for 2008–2010 and preliminary data for 2011.

As provided in 40 CFR 51.918, if EPA's determination that the area has attained the eight-hour ozone standard is made final, it would suspend the requirements under section 182(b)(1) for submission of the attainment demonstration, reasonable further progress plan, contingency measures and any other planning SIP relating to attainment of the 1997 eight-hour

NAAQS. This suspension of requirements would be effective as long as the area continues to attain the 1997 eight-hour ozone standard.

EPA's proposed determination that the area is currently attaining the 1997 eight-hour ozone NAAQS is contingent upon continued monitoring and continued attainment of that NAAQS. If the determination that the area is currently attaining the 1997 eight-hour ozone NAAQS is finalized and EPA subsequently determines, after notice and comment rulemaking, that the area has subsequently violated the standard, the basis for the suspension of obligations with respect to 1997 eight-hour ozone attainment-related planning requirements would no longer exist, and the area would thereafter have to address the pertinent requirements.

It is EPA's intent to withdraw the May 8, 2009 proposed disapprovals of Connecticut's and New Jersey's eight-hour ozone attainment demonstrations for the NY-NJ-CT eight-hour ozone nonattainment area, provided that EPA finalizes its determination that the area currently attains the 1997 eight-hour ozone standard.

EPA is soliciting public comments on the issues discussed in this action. EPA will consider these comments before taking final action. Interested parties may participate in the Federal rulemaking procedure by submitting written comments to EPA as discussed in the **ADDRESSES** section of this **Federal Register**.

VIII. Statutory and Executive Order Reviews

These actions include proposals to make attainment determinations based on air quality, and would if finalized, result in the suspension of certain Federal requirements, would not impose additional requirements beyond those imposed by state law, or would not impose any requirements beyond those required by Federal statute.

For these reasons, these proposed actions:

- Are 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);
- Do not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Are 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.*);
- Do 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);

- Do not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Are not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Are not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Are 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
- Do not provide 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, this rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the state, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Nitrogen oxides, Ozone, Volatile organic compounds, Intergovernmental relations, Reporting and recordkeeping requirements.

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

Dated: December 8, 2011.

Judith A. Enck,
Regional Administrator, Region 2.

Dated: January 11, 2012.

H. Curtis Spalding,
Regional Administrator, Region 1.

[FR Doc. 2012–1518 Filed 1–24–12; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 721

[EPA–HQ–OPPT–2010–1075; FRL–9335–4]

RIN 2070–AB27

Proposed Significant New Use Rules on Certain Chemical Substances; Extension of Comment Period

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; extension of comment period.

SUMMARY: EPA issued a proposed rule in the **Federal Register** of December 28, 2011, concerning proposed significant new use rules (SNURs) under section 5(a)(2) of the Toxic Substances Control Act (TSCA) for the chemical substances rutile, tin zinc, calcium-doped (CAS No. 389623-01-2) and rutile, tin zinc, sodium-doped (CAS No. 389623-07-8) which were the subject of premanufacture notices (PMNs P-06-36 and P-06-37) and TSCA section 5(e) consent orders issued by EPA. In order to address public comments, EPA is extending the comment period. This document extends the comment period for 30 days, from January 27, 2012 to February 26, 2012.

DATES: Comments, identified by docket identification (ID) number EPA-HQ-OPPT-2010-1075, must be received on or before February 26, 2012.

ADDRESSES: Follow the detailed instructions as provided under **ADDRESSES** in the **Federal Register** document of December 28, 2011.

FOR FURTHER INFORMATION CONTACT: For technical information contact: Kenneth Moss, Chemical Control Division (7405M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001; telephone number: (202) 564-9232; email address: moss.kenneth@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: This document extends the public comment period established in the **Federal Register** of December 28, 2011 (76 FR 81441) (FRL-9329-4). In that document, EPA proposed SNURs under section 5(a)(2) of TSCA for the chemical substances rutile, tin zinc, calcium-doped (CAS No. 389623-01-2) and rutile, tin zinc, sodium-doped (CAS No. 389623-07-8) which were the subject of premanufacture notices (PMNs P-06-36 and P-06-37) and TSCA section 5(e) consent orders issued by EPA. EPA received a comment in response to the proposed SNURs noting that additional information detailing the Agency's evaluation and determination under TSCA sections 5(e)(1)(A)(i) and 5(e)(1)(A)(ii)(I) for the chemical substances was added to the docket. The commenter requests that additional time be allotted to allow review of this information. EPA is hereby extending

the comment period, which was set to end on January 27, 2012, to February 26, 2012 to allow for any public comments in response to the additional information.

To submit comments, or access the docket, please follow the detailed instructions as provided under **ADDRESSES** in the December 28, 2011 **Federal Register** document. If you have questions, consult the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

List of Subjects in 40 CFR Part 721

Environmental protection, Chemicals, Hazardous substances, Reporting and recordkeeping requirements.

Dated: January 18, 2012.

Maria J. Doa,

Director, Chemical Control Division, Office of Pollution Prevention and Toxics.

[FR Doc. 2012-1520 Filed 1-24-12; 8:45 a.m.]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 575

[Docket No. NHTSA-2011-0099]

RIN 2127-AK76

Tire Fuel Efficiency Consumer Information Program

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Notice of public workshop and agenda.

SUMMARY: On March 30, 2010, NHTSA published a final rule specifying the test methods to be used for a new tire fuel efficiency consumer information program (TFECIP) to measure three aspects of tire performance: Rolling resistance, wet traction, and treadwear. The final rule did not include any of the requirements for the consumer information and education portions of the TFECIP. Instead, NHTSA announced that, based on the comments the agency had received on the proposal that preceded its final rule, it had decided to conduct additional research before issuing a new proposal for these requirements. NHTSA hopes to issue this new proposal in 2012; however, it has decided that it would be helpful to have a public workshop to obtain feedback on some issues that either have proved difficult to explore effectively in the research NHTSA has conducted or

have arisen since the publication of the March 2010 final rule.

NHTSA invites interested parties to submit written comments and to participate in a public workshop using the instructions set forth in this notice. As described in the Procedural Matters section of this notice, each speaker should anticipate speaking for approximately ten minutes, although we may need to adjust the time for each speaker if there is a large turnout. To facilitate discussion, NHTSA has placed documents concerning research NHTSA has finalized since the March 2010 final rule in the docket. NHTSA will consider the public comments received in developing the new proposal regarding the remaining aspects of the TFECIP.

DATES: Public Workshop: The public workshop will be held on Friday, February 3, 2012 from 10 a.m. to 5 p.m. at the San Francisco Federal Building, 90 7th Street, San Francisco, CA 94013. NHTSA notes that all persons attending the workshop will need to clear security before entering the meeting room and should plan their arrival time accordingly. If you wish to attend or speak at the workshop, you must register in advance no later than Friday, January 27, 2012, by following the instructions in the Procedural Matters section of this notice. NHTSA will consider late registrants to the extent time and space allows, but NHTSA cannot ensure that late registrants will be able to speak at the workshop.

Comments: NHTSA must receive written comments by Friday, February 17, 2012.

ADDRESSES: You may submit comments to the docket number identified in the heading of this document by any of the following methods:

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

- **Mail:** Docket Management Facility, M-30, U.S. Department of Transportation, West Building, Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

- **Hand Delivery or Courier:** U.S. Department of Transportation, West Building, Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m. Eastern time, Monday through Friday, except Federal holidays.

- **Fax:** (202) 493-2251.

Regardless of how you submit your comments, you should mention the docket number of this document. You may call the Docket at 1-(800) 647-5527.

Note that all comments received, including any personal information,