

today's notice and accompanying TSD identify two sets of mass-based values for each state, area of Indian country and U.S. territory with affected EGUs that could be considered equivalent to the proposed rate-based goals, as discussed below: One that is based on historical emissions from existing sources, and a second that is based on historical emissions from existing sources *and* projected emissions that would result from demand growth that is reflected in generation at both existing and new sources in the event that an implementing authority may want to include new sources of generation in its compliance approach. Illustrative values for each state, area of Indian country and U.S. territory with affected EGUs (along with the underlying data) for each method are also presented in the TSD.

In the proposed rule, the EPA intended to afford a considerable amount of flexibility in choosing the types of programs and measures needed to meet the goals established by the rulemaking. An important proposed element of this flexibility is allowing each implementing authority to demonstrate compliance with its interim and final rate-based goals established in the proposal, or to establish equivalent mass-based metrics for purposes of demonstrating compliance with the provisions of the rule. The agency recognizes that implementing authorities can use a mix of measures and programs to meet their goals regardless of which form of the standard they choose to use to demonstrate compliance in the state plan, including both programs that use mass-based metrics, as well as measures that use rate-based measures. State plans submitted to the EPA will be required either to (i) demonstrate that their programs and measures meet the rate-based goals established by the rulemaking, or (ii) if they choose to translate the rate-based goals into mass-based equivalents, demonstrate achievement of the goals using the mass-based metrics.<sup>2</sup>

In section VII of the preamble to the June 18, 2014 proposed rule, the EPA provides basic considerations necessary to translate the emission rate-based CO<sub>2</sub> goals into mass-based equivalents, for state plan purposes (79 FR 34897). The EPA also included in the docket for the

rule a TSD titled "Projecting EGU CO<sub>2</sub> Emission Performance in State Plans," that discusses the considerations, data and technical approaches that can be considered when converting the emission rate-based CO<sub>2</sub> goals into a mass-based equivalent metric, and focuses on one potential approach that implementing authorities could employ. The basic methodology presented in these documents is for the implementing authority to project for a given period the amount of generation by affected entities; to determine the amount of tons of CO<sub>2</sub> that would be emitted by affected EGUS; and to assure that the ratio of affected EGU emissions to affected entity generation is equivalent to the emissions performance of the rate-based goal.

The data, assumptions and methodological choices used for the estimation of generation by affected entities are of central importance for translation to a mass-based metric.<sup>3</sup> For instance, uncertainties about future demand, the future inventory of EGUs and the relative amounts of generation among EGUs in light of, for example, fuel costs can influence the translation to a mass-based equivalent.

In response to requests by states, we are issuing this notice and the TSD, "Translation of the Clean Power Plan Emission Rate-Based CO<sub>2</sub> Goals to Mass-Based Equivalents," to present information about potential methods for translating the rate-based goals to mass-based equivalents. The TSD presents two additional possible methods for calculating mass-based equivalent metrics, the underlying data and shows the mass-based equivalent metric. The first method, based on historical data, produces mass-based equivalent metrics that apply to existing affected EGUs only. The second method, based on a combination of historical data and a projection of future electric demand, produces mass-based equivalent metrics that are inclusive of new fossil fuel-fired sources, in light of the fact that the rule takes comment on the inclusion of new, fossil fuel-fired sources as a component of state plans. As the starting point for these calculations, we use the proposed emission rate-based CO<sub>2</sub> goals set forth in the rulemaking. Also, to maintain consistency with the proposed rule, the calculations contain the same generation data used in setting the rate-

based goals (i.e., 2012 eGRID data for historical generation, and Annual Energy Outlook 2013 for regional growth estimates) to project future levels of generation.<sup>4</sup>

The EPA is providing this additional information to states, U.S. territories, tribes, and other stakeholders to provide a better understanding of the proposed rule. It should be reiterated that the mass-based equivalent metrics presented in the TSD are not required mass-based emission limits that implementing authorities must meet; rather, they are illustrations of two potential options that implementing authorities may choose to adopt if they choose to use a mass-based form of the emission rate-based goal. The EPA presents them to provide stakeholders a better understanding of the methodology and mass outcomes associated with two possible ways of calculating mass-based equivalent metrics.

Dated: November 6, 2014.

**Janet G. McCabe,**

*Acting Assistant Administrator, Office of Air and Radiation.*

[FR Doc. 2014-26900 Filed 11-12-14; 8:45 am]

**BILLING CODE 6560-50-P**

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 141

[EPA-HQ-OW-2012-0155; FRL-9918-96-OW]

#### Notice of Public Meeting and Webinar: Preliminary Regulatory Determinations for the Third Contaminant Candidate List

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of public meeting on potential rulemaking.

**SUMMARY:** The U.S. Environmental Protection Agency (EPA) is announcing a public meeting and webinar to discuss the agency's preliminary determinations on whether or not to develop drinking water regulations for five unregulated contaminants listed on the third Contaminant Candidate List (CCL3). The EPA published and requested public

<sup>2</sup>Note that the metric for compliance is independent from the approaches that implementing authorities may adopt to achieve them. For example, a state could potentially adopt a mass-based program that achieves a rate-based goal, or adopt rate-based standards and/or other measures and demonstrate that they have met the goal using a mass-based metric.

<sup>3</sup>Some stakeholders have observed that addressing potential translation to a mass equivalent could incorporate generation from "affected entities" that include generators beyond "affected EGUs." The proposal invited comment on how generation across "affected entities" (including at "affected EGUs") should be considered when calculating mass equivalents.

<sup>4</sup>The Agency has received comments from some states about the accuracy of the 2012 data, as well as whether we should use more than a single year of data to determine the rate-based goals. We are reviewing all comments, information, and requests for data corrections received to date and will continue reviewing stakeholder input submitted to the docket by the close of the public comment period. Any changes to the emission rate-based goals and underlying data will be reflected in the final rule.

comment on its preliminary regulatory determinations of these five contaminants in the **Federal Register** (FR) on October 20, 2014. In that FR document, the agency announced its preliminary determinations to regulate one contaminant (i.e., strontium) and to not regulate four contaminants (i.e., 1,3-dinitrobenzene, dimethoate, terbufos and terbufos sulfone). On December 9, 2014, EPA will hold a public meeting and webinar to present and solicit public input on the process to identify, and the information used to evaluate, contaminants for the third Regulatory Determination effort; and the preliminary regulatory determinations for the aforementioned five unregulated contaminants listed on CCL3, including the supporting rationale for these determinations.

**DATES:** The public meeting and webinar will be held on Tuesday, December 9, 2014, from 1 p.m. to 5 p.m., eastern time. Persons wishing to attend the meeting in person or online via webinar must register by December 2, 2014, as described in the **SUPPLEMENTARY INFORMATION** section.

**ADDRESSES:** The public meeting will be held at The Cadmus Group, Inc., third floor conference room, located at 1555 Wilson Blvd., Suite 300, Arlington, VA 22209. All attendees must show government-issued photo identification (e.g., a driver's license) when signing in. This meeting will also be simultaneously broadcast as a webinar, available on the Internet.

**FOR FURTHER INFORMATION CONTACT:** Members of the public who wish to receive further information about the meeting and webinar or have questions about this notice should contact Ali Arvanaghi, Standards and Risk Management Division, Office of Ground Water and Drinking Water, Environmental Protection Agency, 1200 Pennsylvania Avenue NW., Mail Code 4607M, Washington, DC 20460; telephone number: (202) 564-1260; email address: [arvanaghi.ali@epa.gov](mailto:arvanaghi.ali@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

### **I. General Information**

#### *A. How may I participate in this meeting?*

Persons wishing to attend the meeting in person or online via the webinar must register in advance no later than 5 p.m., eastern time on December 2, 2014, by sending an email to [RD3Webinar@cadmusgroup.com](mailto:RD3Webinar@cadmusgroup.com). Those who wish to attend should indicate in the email whether they intend to attend in person or via the webinar. The number of seats and webinar connections available for

the meeting is limited and will be available on a first-come, first-served basis. The agenda for the public meeting and webinar will include time for public involvement and will allow for questions and answers or comments about the agency's third Regulatory Determination process and its preliminary regulatory determinations. If individuals or organizations are interested in making a more in-depth statement or presenting information, that interest should be mentioned when registering for the meeting. All statements or presentation materials should be emailed to [RD3Webinar@cadmusgroup.com](mailto:RD3Webinar@cadmusgroup.com) by December 2, 2014, so that the information can be incorporated into the webinar. We ask that only one person present the statement on behalf of a group or organization, and that the statement be limited to five minutes. Any additional comments, statements or information from attendees will be taken if time permits during the meeting or can be sent to [RD3Webinar@cadmusgroup.com](mailto:RD3Webinar@cadmusgroup.com) after the meeting, but before the close of the public comment period for the October 20, 2014, FR notice (79 FR 62716). It is important to remember that formal comments about the EPA's Preliminary Regulatory Determinations for Contaminants on the Third Drinking Water Contaminant Candidate List should be submitted to the docket (EPA-HQ-OW-2012-0155), as instructed in the October 20, 2014, FR notice, before the close of the public comment period on December 19, 2014.

#### *B. How can I get a copy of the meeting and webinar materials?*

The 508-compliant meeting materials will be sent by email to the registered attendees prior to the meeting. Information about registration and participation in the public meeting and webinar can be found on the EPA's Contaminant Candidate List 3 Web site: <http://water.epa.gov/scitech/drinkingwater/dws/ccl/ccl3.cfm>.

### **II. Background**

The 1996 Safe Drinking Water Act Amendments require EPA to determine whether to regulate at least five unregulated contaminants from the current Contaminant Candidate List (CCL) with national primary drinking water regulations every five years. The process of making decisions about whether to regulate any of the CCL unregulated contaminants is called Regulatory Determination. On October 8, 2009 (74 FR 51850), EPA published the CCL3 containing 116 unregulated contaminants. On October 20, 2014 (79 FR 62716), EPA announced and

solicited public comment on its preliminary determinations to regulate one contaminant (i.e., strontium) and to not regulate four contaminants (i.e., 1,3-dinitrobenzene, dimethoate, terbufos and terbufos sulfone). The public comment period for the October 20, 2014, FR announcement, Preliminary Regulatory Determinations for Contaminants on the Third Drinking Water Contaminant Candidate List, closes on December 19, 2014. After considering public comments and any additional information, EPA expects to publish the final, third Regulatory Determination in late 2015.

Dated: October 31, 2014.

**Peter Grevatt,**

*Director, Office of Ground Water and Drinking Water.*

[FR Doc. 2014-26573 Filed 11-12-14; 8:45 am]

**BILLING CODE 6560-50-P**

## **ENVIRONMENTAL PROTECTION AGENCY REGION 8**

[FRL-9919-11-Region-8]

### **40 CFR Part 503**

#### **Propose and Modify NPDES General Permits for Facilities That Generate, Treat, and/or Use/Dispose of Sewage Sludge by Land Application, Landfill and Surface Disposal in the EPA Region 8**

**AGENCY:** The Environmental Protection Agency.

**ACTION:** Notice of proposed and final modification of the expiration date of the eleven (11) NPDES general permits for Sewage Sludge.

**SUMMARY:** The Environmental Protection Agency (EPA) is giving notice of modification of the expiration date of the National Pollutant Discharge Elimination System (NPDES) general permits for facilities or operations that generate, treat, and/or use/dispose of sewage sludge by means of land application, landfill and surface disposal in the states of Colorado, Montana, North Dakota, and Wyoming and in Indian country in the states of Colorado, Montana, North Dakota, South Dakota, Wyoming and Utah (except for the Goshute Indian Reservation and the Navajo Indian Reservation) from May 12, 2018, to January 15, 2015. The EPA will regulate sewage sludge (biosolids) through the direct enforceability provision of the regulation.

**DATES:** This comment period closes on December 15, 2014. *Comments may be directed to:* Bob Brobst (8P-W-WW),