

carrier would not be able to conduct this operation as a non-stop flight under these sections of the rules.

### III. Overseas and International Supplemental Operation Flight Time Limitations

The next question is whether the flight could be conducted under the “international rules” found in § 121.515 and §§ 121.521 through 121.525 if the certificate holder makes that election under § 121.513. In connection with that question is the issue of when and under what circumstances “adequate sleeping quarters” are required.

First, § 121.521 states that an airman may not be scheduled to be “aloft as a member of the flight crew in an airplane that has a crew of two pilots and at least one additional flight crewmember for more than 12 hours during any 24 consecutive hours.” Because the hypothetical flight in question is scheduled to be aloft for 12.5 hours, it could not be conducted with only two pilots and one additional flight crewmember because a certificate holder may only schedule this crew complement for 12 total hours aloft or less.

Next, § 121.523 establishes the flight time limitations for a crew of three or more pilots and additional airmen as required. Unlike § 151.521, this section allows flights lasting longer than 12 hours. In consideration of the longer flights, § 121.523 requires a crew of at least three pilots and additional airmen as required, provides additional rest provisions, limits flight deck duty time for flight engineers and navigators, and requires the certificate holder to “provide adequate sleeping quarters on the airplane whenever an airman is scheduled to be aloft as a flight crewmember for more than 12 hours during any 24 consecutive hours.” § 121.523(b). Because the operation in question is scheduled with a four-pilot complement, it would meet the crew requirements under this section. However, in order to operate under this provision, the certificate holder would need to comply with all of the provisions of § 121.523, including the need to provide adequate sleeping quarters on the airplane.<sup>4</sup>

purpose of § 121.503(b) “is to assure an adequate rest period when such deviations do occur”).

<sup>4</sup> The FAA has consistently interpreted “adequate sleeping quarters on the airplane” to mean a bunk or a berth, but that it is a matter of safety policy to consider each air carrier’s means of compliance on its individual merits. See Legal Interpretation to Daniel J. Wells, from Donald P. Byrne, Assistant Chief Counsel for Regulations (Sept. 22, 2003); Legal Interpretation to William W. Edmunds, Jr., from John Cassady, Assistant Chief Counsel, Regulations and Enforcement Division (Apr. 22,

### IV. Conclusion

Therefore, the hypothetical supplemental air carrier operation in which four pilots are scheduled to conduct a non-stop flight lasting 12.5 hours, between a point outside the contiguous United States and a point in the contiguous United States, or other locations permitting the § 121.513 election, could only be operated under the flight time limitations of § 121.523 (including the required crew rest facilities on board the aircraft). It could not be conducted as proposed under the provisions of §§ 121.503, 121.509 or 121.521.

Issued in Washington, DC, on March 25, 2013.

**Mark W. Bury,**

*Acting Assistant Chief Counsel for International, Law, Legislation and Regulations, AGC-200.*

[FR Doc. 2013-07375 Filed 4-1-13; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF LABOR

### Office of the Secretary of Labor

#### 29 CFR Part 15

#### Employment and Training Administration

#### 20 CFR Parts 638 and 670

#### RIN 1290-AA25

#### Administrative Claims Under the Federal Tort Claims Act and Related Statutes

**AGENCY:** Office of the Secretary, Employment and Training Administration, Department of Labor.

**ACTION:** Withdrawal of proposed rule.

**SUMMARY:** With this document, the Department of Labor (DOL) is withdrawing its proposed rule that accompanied its direct final rule revising the regulations governing administrative claims under the Federal Tort Claims Act and related statutes.

**DATES:** Effective April 2, 2013 the proposed rule published on April 13, 2012 (77 FR 22236), is withdrawn.

**FOR FURTHER INFORMATION CONTACT:** Catherine P. Carter, Counsel for Claims and Compensation, Office of the Solicitor, U.S. Department of Labor, Room S-4325, 200 Constitution Avenue NW., Washington, DC 20210, Telephone: 202-693-5320 (this is not a toll-free number). Individuals with

1986). A passenger seat, even if it reclines, is not considered to be adequate sleeping quarters. *Id.*

hearing or speech impairments may access this telephone number via TTY by calling the toll-free Federal Information Relay Service at 1-800-877-8339.

**SUPPLEMENTARY INFORMATION:** On April 13, 2012, DOL published a direct final rule (77 FR 22204) and concurrent notice of proposed rulemaking, proposing to amend the regulations governing administrative claims under the Federal Tort Claims Act and related statutes. In both the direct final rule and notice of proposed rulemaking, DOL explained that if no significant adverse comments were received to the notice of proposed rulemaking, DOL would withdraw the proposed rule and the direct final rule would become effective on July 12, 2012 without further notice. DOL has received no comments regarding either the direct final rule or the notice of proposed rulemaking. Accordingly, DOL is not proceeding with the proposed rule and is withdrawing it from the rulemaking process. DOL is also confirming the effective date of the direct final rule as July 12, 2012.

Signed at Washington, DC, the 28th of February, 2013.

**M. Patricia Smith,**  
*Solicitor of Labor.*

[FR Doc. 2013-07525 Filed 4-1-13; 8:45 am]

**BILLING CODE 4510-23-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 100

[Docket No. USCG-2013-0145]

#### RIN 1625-AA08

#### Special Local Regulations; St. Thomas Carnival Watersport Activities, Charlotte Amalie Harbor; St Thomas, USVI

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to establish a special local regulation on the waters of Charlotte Amalie Harbor in St Thomas, USVI during the St. Thomas Carnival Watersport Activities, a high speed boat race. The event is scheduled to take place on Sunday, April 21, 2013. Approximately 40 high-speed power boats will be participating in the races and it is anticipated that 50 spectator crafts will be present during the races. The special local regulation is necessary for the safety of race participants,

participant vessels, spectators, and the general public during the event. The special local regulation will establish the following four areas: (1) A high speed boat race area, where all persons and vessels, except those persons and vessels participating in the high-speed boat races, are prohibited from entering, transiting through, anchoring in, or remaining within; (2) a jet ski race area, where all persons and vessels, except those persons and vessels participating in the jet ski races, are prohibited from entering, transiting through, anchoring in, or remaining within; (3) a buffer zone around the race areas, where all persons and vessels, except those persons and vessels enforcing the buffer zone or authorized participants transiting to their authorized the race area, are prohibited from entering, transiting through, anchoring in, or remaining within; and (4) a spectator area, where all vessels are prohibited from anchoring and from traveling in excess of wake speed, unless authorized by the Captain of the Port San Juan or a designated representative.

**DATES:** Comments and related material must be received by the Coast Guard on or before April 10, 2013.

**ADDRESSES:** You may submit comments identified by docket number using any one of the following methods:

(1) *Federal eRulemaking Portal:* <http://www.regulations.gov>.

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

(3) *Mail or Delivery:* Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590-0001. Deliveries accepted between 9 a.m. and 5 p.m., Monday through Friday, except federal holidays. The telephone number is 202-366-9329.

See the "Public Participation and Request for Comments" portion of the **SUPPLEMENTARY INFORMATION** section below for further instructions on submitting comments. To avoid duplication, please use only one of these three methods.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or email Chief Warrant Officer Anthony Cassisa, Sector San Juan Prevention Department, Coast Guard; telephone (787) 289-2073, email [Anthony.J.Cassisa@uscg.mil](mailto:Anthony.J.Cassisa@uscg.mil). If you have questions on viewing or submitting material to the docket, call Barbara Hairston, Program Manager, Docket Operations, telephone (202) 366-9826.

**SUPPLEMENTARY INFORMATION:**

## Table of Acronyms

DHS Department of Homeland Security  
FR Federal Register  
NPRM Notice of Proposed Rulemaking

### A. Public Participation and Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related materials. All comments received will be posted without change to <http://www.regulations.gov> and will include any personal information you have provided.

#### 1. Submitting comments

If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. You may submit your comments and material online at <http://www.regulations.gov>, or by fax, mail, or hand delivery, but please use only one of these means. If you submit a comment online, it will be considered received by the Coast Guard when you successfully transmit the comment. If you fax, hand deliver, or mail your comment, it will be considered as having been received by the Coast Guard when it is received at the Docket Management Facility. We recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

To submit your comment online, go to <http://www.regulations.gov>, type the docket number [USCG-2013-0145] in the "SEARCH" box and click "SEARCH." Click on "Submit a Comment" on the line associated with this rulemaking.

If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period and may change the rule based on your comments.

#### 2. Viewing Comments and Documents

To view comments, as well as documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type the docket number (USCG-2013-0145) in

the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room W12-140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

#### 3. Privacy Act

Anyone can search the electronic form of comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review a Privacy Act notice regarding our public dockets in the January 17, 2008, issue of the **Federal Register** (73 FR 3316).

#### 4. Public meeting

We do not now plan to hold a public meeting. But you may submit a request for one, using one of the methods specified under **ADDRESSES**. Please explain why you believe a public meeting would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

### B. Regulatory History and Information

The Coast Guard is issuing this notice of proposed rulemaking (NPRM) with a comment period shorter than 30 days. The Coast Guard is doing this because the sponsor did not provide information regarding the event details with sufficient time to provide for a 30 day comment period. This is an annual event, which in the past has not received comments from the public, however, the Coast Guard prefers to allow the public an opportunity to comment, therefore it is publishing this NPRM with a comment period shorter than 30 days.

### C. Basis and Purpose

The legal basis for the rule is the Coast Guard's authority to establish special local regulations: 33 U.S.C. 1233. The purpose of the rule is to ensure safety of life on navigable waters of the United States during the St Thomas Carnival Watersport Activities.

On April 21, 2013, Virgin Islands Carnival Committee Inc. is sponsoring the St Thomas Carnival Watersport Activities, a series of high-speed boat races and jet ski races. The races will be held on the waters of Charlotte Amalie Harbor in St Thomas, USVI. Approximately 40 high-speed power

boats will be participating in the races. It is anticipated that approximately 50 spectator vessels will be present during the races.

#### D. Discussion of Proposed Rule

The special local regulation encompasses certain waters of Charlotte Amalie in St Thomas, USVI. The special local regulation will be enforced from 10 a.m. until 5 p.m. on April 21, 2013. The special local regulation consists of the following four areas: (1) A high-speed boat race area, where all persons and vessels, except those persons and vessels participating in the high-speed boat races, are prohibited from entering, transiting through, anchoring in, or remaining within; (2) a jet ski race area, where all persons and vessels, except those persons and vessels participating in the jet ski races, are prohibited from entering, transiting through, anchoring in, or remaining within; (3) a buffer zone around the race areas, where all persons and vessels, except those persons and vessels enforcing the buffer zone or authorized participants transiting to their respective race areas, are prohibited from entering, transiting through, anchoring in, or remaining within; and (4) a spectator area, where all vessels are prohibited from anchoring and from traveling in excess of wake speed unless authorized by the Captain of the Port San Juan or a designated representative. Persons and vessels may request authorization to enter, transit through, anchor in, or remain within the race area, or buffer zone; or to anchor or travel in excess of wake speed in the spectator area by contacting the Captain of the Port San Juan by telephone at (787) 289-2041, or a designated representative via VHF radio on channel 16. If authorization to enter, transit through, anchor in, or remain within the race area, or buffer zone; or to anchor or travel in excess of wake speed in the spectator area is granted by the Captain of the Port San Juan or a designated representative, all persons and vessels receiving such authorization must comply with the instructions of the Captain of the Port San Juan or a designated representative. The Coast Guard will provide notice of the special local regulations by Local Notice to Mariners, Broadcast Notice to Mariners, and on-scene designated representatives.

#### E. Regulatory Analyses

We developed this proposed rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes or executive orders.

#### 1. Regulatory Planning and Review

This proposed rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, as supplemented by Executive Order 13563, Improving Regulation and Regulatory Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of Executive Order 12866 or under section 1 of Executive Order 13563. The Office of Management and Budget has not reviewed it under those Orders. The economic impact of this rule is not significant for the following reasons: (1) The special local regulations will be enforced for only seven hours; (2) although persons and vessels will not be able to enter, transit through, anchor in, or remain within the race area and buffer zone, or anchor in the spectator area, without authorization from the Captain of the Port San Juan or a designated representative, they may operate in the surrounding area during the enforcement period; (3) persons and vessels may still enter, transit through, anchor in, or remain within the race area and buffer zone, or anchor in the spectator area, during the enforcement period if authorized by the Captain of the Port San Juan or a designated representative; and (4) the Coast Guard will provide advance notification of the special local regulations to the local maritime community by Local Notice to Mariners and Broadcast Notice to Mariners.

#### 2. Impact on Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we have considered the impact of this proposed rule on small entities. The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule will not have a significant economic impact on a substantial number of small entities.

This rule may affect the following entities, some of which may be small entities: the owners or operators of vessels intending to enter, transit through, anchor in, or remain within that portion of Charlotte Amalie harbor encompassed within the special local regulation from 10 a.m. until 5 p.m. on April 21, 2013. For the reasons discussed in the Regulatory Planning and Review section above, this rule will not have a significant economic impact on a substantial number of small entities.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see

**ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

#### 3. Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104-121), we want to assist small entities in understanding this proposed rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT**, above. The Coast Guard will not retaliate against small entities that question or complain about this proposed rule or any policy or action of the Coast Guard.

#### 4. Collection of Information

This proposed rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520.).

#### 5. Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this proposed rule under that Order and determined that this rule does not have implications for federalism.

#### 6. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

#### 7. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. Though this proposed rule would not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

### 8. Taking of Private Property

This proposed rule would not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

### 9. Civil Justice Reform

This proposed rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

### 10. Protection of Children From Environmental Health Risks

We have analyzed this proposed rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and would not create an environmental risk to health or risk to safety that might disproportionately affect children.

### 11. Indian Tribal Governments

This proposed rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it would not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

### 12. Energy Effects

This proposed rule is not a "significant energy action" under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use.

### 13. Technical Standards

This proposed rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

### 14. Environment

We have analyzed this proposed rule under Department of Homeland Security Management Directive 023-01 and Commandant Instruction M16475.ID, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321-4370f), and have made a preliminary determination that this action is one of a category of actions that do not individually or cumulatively have a significant effect on

the human environment. This proposed rule involves a special local regulation issued in conjunction with a regatta or marine parade. This rule is categorically excluded from further review under paragraph 34(h) of Figure 2-1 of the Commandant Instruction. A preliminary environmental analysis checklist supporting this determination and a Categorical Exclusion Determination are available in the docket where indicated under **ADDRESSES**. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

### List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

For the reasons discussed in the preamble, the Coast Guard proposes to amend part 100 as follows:

### PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

■ 1. The authority citation for part 100 continues to read as follows:

**Authority:** 33 U.S.C. 1233.

■ 2. Add § 100.35T07-1089 to read as follows:

#### § 100.35T07-0145 Special Local Regulations; St Thomas Watersports Activities, Charlotte Amalie Harbor; St Thomas, USVI.

(a) *Regulated Areas.* The following regulated areas are established as special local regulations. All coordinates are North American Datum 1983.

(1) *Power Boat Race Area.* All waters of the St. Thomas Harbor located around Hassel Island, St. Thomas, U.S. Virgin Island encompassed within an imaginary line connecting the following points for the Power Boat Race: Starting at Point 1 in position 18°20.19' N, 64°56.07' W; thence southeast to Point 2 in position 18°19.70' N 64°55.70' W; thence southwest to Point 3 in position 18°19.35' N, 64°55.71' W; thence west to point 4 in position 18°19.27' N, 64°56.01' N; thence north to point 5 in position 18°19.98' N, 64°56.46' W; thence northeast to point 6 in position 18°20.21' N, 064°56.31' W; thence east back to origin. All persons and vessels, except those persons and vessels participating in the high-speed boat race, are prohibited from entering, transiting, anchoring, or remaining within the race area.

(2) *Jet Ski Race Area.* All waters encompassed within an imaginary line connecting the following points: starting at Point 1 in position 18°20.08' N,

64°55.88' W; thence west to Point 2 in position 18°20.08' N, 64°56.06' W; thence north to Point 3 in position 18°20.28' N, 64°56.06' W; thence east to Point 4 in position 18°20.28' N, 64°55.88' W; thence south back to origin. All persons and vessels, except those persons and vessels participating in the Jet Ski Race, are prohibited from entering, transiting, anchoring, or remaining within the race area.

(3) *Buffer Zone.* All waters of the St. Thomas Harbor located around Hassel Island; St. Thomas, U.S. Virgin Island excluding the power boat race area and jet ski race area, encompassed within an imaginary line connecting the following points: starting at Point 1 in position 18°20.34' N, 64°55.91' W; thence southeast to Point 2 in position 18°19.70' N, 64°55.71' W; thence south to Point 3 in position 18°19.31' N, 64°55.72' W; thence southwest to Point 4 in position 18°19.23' N, 64°56.04' W; thence northwest to Point 5 in position 18°19.94' N, 64°56.50' W; thence northeast to Point 6 in position 18°20.26' N, 64°56.31' W thence east back to origin. All persons and vessels except those persons and vessels enforcing the buffer zone are prohibited from entering, transiting through, anchoring in, or remaining within the buffer zone, with the exception of authorized race participants transiting to their respective race areas.

(4) *Spectator Area.* All waters of the St. Thomas Harbor located east of Hassel Island, excluding the power boat race area, the jet ski race area, and the buffer zone, encompassed within an imaginary line connecting the following points: starting at Point 1 in position 18°20.30' N, 64°55.76' W; thence south to Point 2 in position 18°19.97' N, 64°55.67' W; thence northeast to Point 3 in position 18°20.19' N, 64°55.54' W; thence northwest back to origin. On-scene designated representatives will direct spectator vessels to the spectator area.

(b) *Definition.* The term "designated representative" means Coast Guard Patrol Commanders, including Coast Guard coxswains, petty officers, and other officers operating Coast Guard vessels, and Federal, state, and local officers designated by or assisting the Captain of the Port San Juan in the enforcement of the regulated areas.

#### (c) Regulations.

(1) All persons and vessels are prohibited from:

(A) Entering, transiting through, anchoring in, or remaining within the power boat race area, unless participating in the power boat race.

(B) Entering, transiting through, anchoring in, or remaining within the

jet ski race area, unless participating in the jet ski race.

(C) Transiting through, anchoring in, or remaining within the buffer zone, unless enforcing the buffer zone or a race participant transiting to their designated race area.

(D) All persons and vessels are prohibited from anchoring in, or traveling in excess of wake speed in the spectator zone.

(2) Persons and vessels may request authorization to enter, transit through, anchor in, or remain within the race areas by contacting the Captain of the Port San Juan by telephone at (787) 289-2041, or a designated representative via VHF radio on channel 16. If authorization is granted by the Captain of the Port San Juan or a designated representative, all persons and vessels receiving such authorization must comply with the instructions of the Captain of the Port San Juan or a designated representative.

(3) The Coast Guard will provide notice of the regulated areas by Local Notice to Mariners, Broadcast Notice to Mariners, and on-scene designated representatives.

(d) *Enforcement Date.* This rule will be enforced from 10 a.m. until 5 p.m. on April 21, 2013.

Dated: March 14, 2013.

**D.W. Pearson,**

*Captain, U.S. Coast Guard, Captain of the Port San Juan.*

[FR Doc. 2013-07573 Filed 4-1-13; 8:45 am]

**BILLING CODE 9110-04-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 52 and 70

[EPA-R07-OAR-2012-0749; FRL-9795-1]

#### Approval and Promulgation of Implementation Plans and Operating Permits Program; State of Missouri

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve a revision to the State Implementation Plan (SIP) and Operating Permits Program to amend the definitions provisions of the rules. This SIP revision and revision to the Missouri operating permits program proposes to add the compounds propylene carbonate and dimethyl carbonate to the list of compounds which are excluded from the definition of Volatile Organic Compound (VOC) for consistency with the Federal definition of VOC. The SIP revision also proposes to correct two asbestos method subpart references. This revision also proposes approval of Missouri's request to amend the SIP to meet the 2008 fine particulate matter (PM<sub>2.5</sub>) National Ambient Air Quality Standards implementation requirements of the May 16, 2008, New Source Review (NSR) PM<sub>2.5</sub> Rule. In this SIP revision, Missouri adopted rule revisions to establish the requirement for NSR permits to address directly emitted PM<sub>2.5</sub> and precursor pollutants; and significant emission rates for direct PM<sub>2.5</sub> and precursor pollutants (sulfur dioxide (SO<sub>2</sub>) and nitrogen dioxide (NO<sub>x</sub>)).

**DATES:** Comments on this proposed action must be received in writing by May 2, 2013.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R07-OAR-2012-0749, by mail to: Craig Bernstein, Environmental Protection

Agency, Air Planning and Development Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219. Comments may also be submitted electronically or through hand delivery/courier by following the detailed instructions in the **ADDRESSES** section of the direct final rule located in the rules section of this **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:**

Craig Bernstein at (913) 551-7688, or by email at [bernstein.craig@epa.gov](mailto:bernstein.craig@epa.gov).

**SUPPLEMENTARY INFORMATION:** In the final rules section of the **Federal Register**, EPA is approving the state's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no relevant adverse comments to this action. A detailed rationale for the approval is set forth in the direct final rule. If no relevant adverse comments are received in response to this action, no further activity is contemplated in relation to this action. If EPA receives relevant adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed action. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on part of this rule and if that part can be severed from the remainder of the rule, EPA may adopt as final those parts of the rule that are not the subject of an adverse comment. For additional information, see the direct final rule which is located in the rules section of this **Federal Register**.

Dated: March 20, 2013.

**Karl Brooks,**

*Regional Administrator, Region 7.*

[FR Doc. 2013-07403 Filed 4-1-13; 8:45 am]

**BILLING CODE 6560-50-P**