

period, which closed on October 25, 2013.

The EPA reviewed each comment received and prepared a Response to Comments document for the two projects. After consideration of the expressed view of all interested persons, the pertinent federal statutes and regulations, the applications and supplemental information submitted by the applicants, and additional material relevant to the applications and contained in the Administrative Records, the EPA made final determinations in accordance with title 40 CFR part 52 and part 55 (for Statoil) to issue final air permits.

Under 40 CFR 124.19(f)(2), notice of any final Agency action regarding a PSD permit must be published in the **Federal Register**. Section 307(b)(1) of the CAA provides for review of final Agency action that is locally or regionally applicable in the United States Court of Appeals for the appropriate circuit. Such a petition for review of final Agency action must be filed within 60 days from the date of notice of such action in the **Federal Register**. For purposes of judicial review under the CAA, final Agency action occurs when a final PSD permit is issued or denied by the EPA and Agency review procedures are exhausted, per 40 CFR 124.19(f)(1).

Any person who filed comments on the draft permits was provided the opportunity to petition the Environmental Appeals Board by the end of November 26, 2013 for the Statoil permit, by the end of December 26, 2013 for the PEEC permit, or by the end of January 17, 2014 for the TECO permit. No petitions were submitted for any of these permits. Therefore, the Statoil permit became effective on November 27, 2013. The PEEC permit became effective on December 27, 2013. This date was changed from December 25, 2013, as stated on the final permit, to correct for the effective date coinciding with a federal holiday. The TECO permit became effective on January 18, 2014.

Dated: February 27, 2014.

**Carol L. Kemker,**

*Acting Director, Air, Pesticides and Toxics, Management Division, Region 4.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9907-84-Region-10]

### Final Modification of the National Pollutant Discharge Elimination System (NPDES) General Permit (GP) for Small Suction Dredges in Idaho, IDG370000

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

**ACTION:** Final notice of modification of a general permit.

**SUMMARY:** When the 2013 General Permit (GP) was issued, the language of the GP contained a discrepancy with the total maximum daily load (TMDL) that was issued for Mores Creek. The Environmental Protection Agency (EPA) proposed to modify the permit on December 18, 2013, and provided a 45 day comment period. EPA prepared a Response to Comments and modified the GP so it now includes the tributaries of Mores, Elk or Grimes creeks in the loading allocations of the TMDL and a list of these tributaries in Appendix F. **DATES:** The modified GP will be effective on April 14, 2014.

**ADDRESSES:** Copies of the modified general permit, Statement of Basis and Response to Comments are available upon request. Requests may be made to Tracy DeGering at (208) 378-5756 or to Cindi Godsey at (907) 271-6561. Requests may also be electronically mailed to: [degering.tracy@epa.gov](mailto:degering.tracy@epa.gov) or [godsey.cindi@epa.gov](mailto:godsey.cindi@epa.gov).

Written requests may be submitted to EPA, Region 10, 1200 Sixth Avenue, Suite 900, OWW-130, Seattle, WA 98101.

**FOR FURTHER INFORMATION CONTACT:** The GP, Statement of Basis and Response to Comments along with detailed maps and other useful information may be found on the Region 10 Web site at: <http://yosemite.epa.gov/r10/water.nsf/npdes+permits/idsuction-gp>.

#### SUPPLEMENTARY INFORMATION:

**Executive Order 12866:** The Office of Management and Budget has exempted this action from the review requirements of Executive Order 12866 pursuant to Section 6 of that order.

**Regulatory Flexibility Act:** Under the Regulatory Flexibility Act (RFA), 5 U.S.C. 601 *et seq.*, a Federal agency must prepare an initial regulatory flexibility analysis "for any proposed rule" for which the agency "is required by section 553 of the Administrative Procedure Act (APA), or any other law, to publish general notice of proposed rulemaking." The RFA exempts from this requirement any rule that the

issuing agency certifies "will not, if promulgated, have a significant economic impact on a substantial number of small entities." EPA has concluded that NPDES general permits are permits, not rulemakings, under the APA and thus not subject to APA rulemaking requirements or the RFA. Notwithstanding that general permits are not subject to the RFA, EPA has determined that these general permits, as issued, will not have a significant economic impact on a substantial number of small entities.

Dated: March 5, 2014.

**Daniel D. Opalski,**

*Director, Office of Water & Watersheds, Region 10, U.S. Environmental Protection Agency.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9907-95-Region-4; CERCLA-04-2013-3763]

### LWD, Inc. Superfund Site; Calverty City, Marshall County, Kentucky; Notice of Settlement

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

**ACTION:** Notice of Settlement.

**SUMMARY:** Under 122(h) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the United States Environmental Protection Agency (EPA) has entered into a settlement with the approximately fifty (50) parties concerning the LWD, Inc. Superfund Site located in Calverty City, Marshall County, Kentucky. The settlement addresses remaining costs from a fund-lead Removal Action taken by the EPA at the Site.

**DATES:** The Agency will consider public comments on the settlement until April 14, 2014. The Agency will consider all comments received and may modify or withdraw its consent to the settlement if comments received disclose facts or considerations which indicate that the amended settlement is inappropriate, improper, or inadequate.

**ADDRESSES:** Copies of the settlement are available from the Agency by contacting Ms. Paula V. Painter, Environmental Protection Specialist using the contact information provided in this notice. Comments may also be submitted by referencing the Site's name through one of the following methods: