

OAR–2012–0732, by one of the following methods:

1. *Federal eRulemaking Portal*: [www.regulations.gov](http://www.regulations.gov). Follow the on-line instructions.

2. *Email*: [R9airpermits@epa.gov](mailto:R9airpermits@epa.gov).

3. *Mail or deliver*: Gerardo Rios (Air-3), U.S. Environmental Protection Agency Region IX, 75 Hawthorne Street, San Francisco, CA 94105–3901.

Please see the direct final rule which is located in the “Rules” section of this **Federal Register** for detailed instructions on how to submit comments.

**FOR FURTHER INFORMATION CONTACT**: Lisa Beckham, Permits Office (AIR–3), U.S. Environmental Protection Agency, Region IX, (415) 972–3811, [beckham.lisa@epa.gov](mailto:beckham.lisa@epa.gov).

**SUPPLEMENTARY INFORMATION**: This document proposes to approve revisions to the California SIP to incorporate EKAPCD Rule 210.4—Prevention of Significant Deterioration, ICAPCD Rule 904—Prevention of Significant Deterioration (PSD) Permit Program, PCAPCD Rule 518—Prevention of Significant Deterioration (PSD) Permit Program, and YSAQMD Rule 3.24—Prevention of Significant Deterioration. The State of California is required under Part C of title I of the Act to adopt and implement a SIP-approved PSD permit program. The approval of these rules would establish a PSD permit program in each District for pre-construction review of certain new and modified major stationary sources in attainment or unclassifiable areas. Because the State of California does not currently have a SIP-approved PSD program within EKAPCD, ICAPCD, PCAPCD, and YSAQMD (referred to hereinafter as the “Districts”), EPA is currently the PSD permitting authority for each District. Inclusion of these rules into the SIP will transfer PSD permitting authority from EPA to the Districts. EPA will assume the role of overseeing the PSD permitting program within each District.

We have published a direct final rule approving these revisions in the “Rules” section of this **Federal Register** because we view this as a noncontroversial action and anticipate no adverse comment. We have explained our reasons for this action and provided detailed information about the action in the preamble to the direct final rule. The regulatory text for this proposal is identical to that for the direct final rule. For additional information, including the regulatory text, see the direct final rule in the “Rules” section of this **Federal Register**.

If no adverse comments are received, we will not take further action on this

proposed rule. If EPA receives adverse comment, we will publish a timely withdrawal in the **Federal Register** informing the public that this rule will not take effect, and all public comments received will be addressed in any subsequent final rule based on this proposed rule. Please note that if EPA receives adverse comment on a distinct provision of this rule and that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment. In such case, EPA would publish a timely withdrawal in the **Federal Register** indicating which provisions we are withdrawing. The provisions that are not withdrawn would then become effective on the date set out in the direct final rule, notwithstanding adverse comment on any other provision.

EPA does not intend to institute a second comment period on this action. Any parties interested in commenting on this action must do so at this time. For further information about commenting on this action, please see the information provided in the **ADDRESSES** section of this document and refer to the direct final rule in the “Rules” section of this **Federal Register**.

#### List of Subjects in 40 CFR Part 52

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

Dated: September 25, 2012.

**Jared Blumenfeld**,

*Regional Administrator, Region IX.*

[FR Doc. 2012–29536 Filed 12–7–12; 8:45 am]

**BILLING CODE 6560–50–P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA–R09–OAR–2012–0808; FRL–9750–3]

### Revisions to the California State Implementation Plan, Monterey Bay Unified Air Pollution Control District

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

**ACTION**: Proposed rule.

**SUMMARY**: EPA is proposing to approve revisions to the Monterey Bay Unified Air Pollution Control District (MBUAPCD) portion of the California State Implementation Plan (SIP). This revision concerns opacity standards

related to multiple pollutants, including particulate matter (PM) emissions from several different types of sources, ranging from fugitive dust to gas turbines. We are proposing to approve a local rule to regulate these emission sources under the Clean Air Act (CAA or the Act).

**DATES**: Any comments on this proposal must arrive by January 9, 2013.

**ADDRESSES**: Submit comments, identified by docket number EPA–R09–OAR–2012–0808, by one of the following methods:

1. *Federal eRulemaking Portal*:

[www.regulations.gov](http://www.regulations.gov). Follow the on-line instructions.

2. *Email*: [steckel.andrew@epa.gov](mailto:steckel.andrew@epa.gov).

3. *Mail or deliver*: Andrew Steckel (Air-4), U.S. Environmental Protection Agency Region IX, 75 Hawthorne Street, San Francisco, CA 94105–3901.

*Instructions*: All comments will be included in the public docket without change and may be made available online at [www.regulations.gov](http://www.regulations.gov), including any personal information provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that you consider CBI or otherwise protected should be clearly identified as such and should not be submitted through [www.regulations.gov](http://www.regulations.gov) or email. [www.regulations.gov](http://www.regulations.gov) is an “anonymous access” system, and EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send email directly to EPA, your email address will be automatically captured and included as part of the public comment. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

*Docket*: Generally, documents in the docket for this action are available electronically at [www.regulations.gov](http://www.regulations.gov) and in hard copy at EPA Region IX, 75 Hawthorne Street, San Francisco, California 94105–3901. While all documents in the docket are listed at [www.regulations.gov](http://www.regulations.gov), some information may be publicly available only at the hard copy location (e.g., copyrighted material, large maps), and some may not be publicly available in either location (e.g., CBI). To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed in the **FOR FURTHER INFORMATION CONTACT** section.

**FOR FURTHER INFORMATION CONTACT:** Idalia Pérez, EPA Region IX, (415) 972-3248, [perez.idalia@epa.gov](mailto:perez.idalia@epa.gov).

**SUPPLEMENTARY INFORMATION:** This proposal addresses the following local rule: Rule 400, Visible Emissions. In the Rules and Regulations section of this **Federal Register**, we are approving this local rule in a direct final action without prior proposal because we believe these SIP revisions are not controversial. If we receive adverse comments, however, we will publish a timely withdrawal of the direct final rule and address the comments in subsequent action based on this proposed rule.

We do not plan to open a second comment period, so anyone interested in commenting should do so at this time. If we do not receive adverse comments, no further activity is planned. For further information, please see the direct final action.

Dated: October 26, 2012.

**Jared Blumenfeld,**

*Regional Administrator, Region IX.*

[FR Doc. 2012-29530 Filed 12-7-12; 8:45 am]

**BILLING CODE 6560-50-P**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 67

[Docket ID FEMA-2010-0003; Internal Agency Docket No. FEMA-B-1085]

#### Proposed Flood Elevation Determinations

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Proposed rule; correction.

**SUMMARY:** On February 5, 2010, FEMA published in the **Federal Register** a proposed rule that contained an erroneous table. This notice provides

corrections to that table, to be used in lieu of the information published at 75 FR 5909. The table provided here represents the flooding source, location of referenced elevations, effective and modified elevations, and community affected for Ballard County, Kentucky, and Incorporated Areas. Specifically, it addresses the following flooding sources: Cane Creek (backwater effects from Mississippi, Hazel Creek (backwater effects from Ohio River), Humphrey Creek (backwater effects from Ohio River), Humphrey Creek Tributary 9 (backwater effects from Ohio River), Lucy Creek (backwater effects from Ohio River), Mississippi River, Ohio River, and Stovall Creek (backwater effects from Mississippi River).

**DATES:** Comments are to be submitted on or before March 11, 2013.

**ADDRESSES:** You may submit comments, identified by Docket No. FEMA-B-1085, to Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-4064 or (email) [Luis.Rodriguez3@fema.dhs.gov](mailto:Luis.Rodriguez3@fema.dhs.gov).

**FOR FURTHER INFORMATION CONTACT:** Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-4064 or (email) [Luis.Rodriguez3@fema.dhs.gov](mailto:Luis.Rodriguez3@fema.dhs.gov).

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA) publishes proposed determinations of Base (1% annual-chance) Flood Elevations (BFEs) and modified BFEs for communities participating in the National Flood Insurance Program (NFIP), in accordance with section 110 of the

Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed BFEs and modified BFEs, together with the floodplain management criteria required by 44 CFR 60.3, are minimum requirements. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations are used to meet the floodplain management requirements of the NFIP and also are used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in those buildings.

#### Corrections

In the proposed rule published at 75 FR 5909, in the February 5, 2010, issue of the **Federal Register**, FEMA published a table under the authority of 44 CFR 67.4. The table, entitled "Ballard County, Kentucky, and Incorporated Areas" addressed the following flooding sources: Cane Creek (backwater effects from Mississippi, Hazel Creek (backwater effects from Ohio River), Humphrey Creek (backwater effects from Ohio River), Humphrey Creek Tributary 9 (backwater effects from Ohio River), Lucy Creek (backwater effects from Ohio River), Mississippi River, Ohio River, and Stovall Creek (backwater effects from Mississippi River). That table contained inaccurate information as to the communities affected for the flooding source the Mississippi River. In this notice, FEMA is publishing a table containing the accurate information, to address these prior errors. The information provided below should be used in lieu of that previously published.

Flooding source(s)	Location of referenced elevation **	*Elevation in feet (NGVD) + Elevation in feet (NAVD) #Depth in feet above ground ^ Elevation in meters (MSL)		Communities affected
		Effective	Modified	
Ballard County, Kentucky and Incorporated Areas				
Cane Creek (backwater effects from Mississippi River).	From the confluence with Shawnee Creek Slough to approximately 2.3 miles upstream of confluence with Shawnee Creek Slough.	+331	+330	Unincorporated Areas of Ballard County.
Hazel Creek (backwater effects from Ohio River).	From the confluence with Brushy Pond Creek to approximately 3.2 miles upstream of the confluence with Brushy Pond Creek.	+332	+331	Unincorporated Areas of Ballard County.