

**FOR FURTHER INFORMATION CONTACT:** Mr. Alan Shar, Air Planning Section (6PD-L), telephone 214-665-6691; fax number 214-665-7263; email address [shar.alan@epa.gov](mailto:shar.alan@epa.gov).

**SUPPLEMENTARY INFORMATION:** In the final rules section of this **Federal Register**, EPA is approving the State's SIP submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. 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. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives an adverse comment on an amendment, paragraph, or section of this rule and if 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.

For additional information, see the direct final rule, which is located in the rules section of this **Federal Register**.

Dated: April 19, 2013.

**Ron Curry,**

*Regional Administrator, Region 6.*

[FR Doc. 2013-10559 Filed 5-3-13; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R06-OAR-2012-0766; FRL-9808-3]

#### Approval and Promulgation of Air Quality Implementation Plans; Texas; Approval of Texas Low Emission Diesel Fuel Rule Revisions

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing approval of a revision to the Texas State Implementation Plan (SIP) concerning the Texas Low Emission Diesel (TxLED) Fuel rules. The revisions clarify existing definitions and provisions, revise the approval procedures for alternative diesel fuel formulations, add new registration requirements, and update the rule to reflect the current program

status because the rule is now fully implemented. This SIP revision meets statutory requirements.

**DATES:** Written comments must be received on or before June 5, 2013.

**ADDRESSES:** Comments may be mailed to Mr. Guy Donaldson, Chief, Air Planning Section (6PD-L), Environmental Protection Agency, 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202-2733. 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:** Ms. Sandra Rennie, Air Planning Section (6PD-L), Environmental Protection Agency, Region 6, 1445 Ross Avenue, Suite 700, Dallas, Texas 75202-2733, telephone (214) 665-7367; fax number 214-665-7263; email address [rennie.sandra@epa.gov](mailto:rennie.sandra@epa.gov).

**SUPPLEMENTARY INFORMATION:** In the final rules section of this **Federal Register**, EPA is approving the State's SIP submittal without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this action, no further activity is contemplated. If EPA receives 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 rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if 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.

For additional information, see the direct final rule which is located in the rules section of this **Federal Register**.

Dated: April 5, 2013.

**Ron Curry,**

*Regional Administrator, Region 6.*

[FR Doc. 2013-10542 Filed 5-3-13; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R05-OAR-2010-0394; EPA-R05-OAR-2012-0786; FRL-9786-1]

#### Approval and Promulgation of Air Quality Implementation Plans; Illinois; Consumer Products and AIM Rules

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve a revision to the Illinois State Implementation Plan (SIP). This approval resolves the issues raised in the June 7, 2012 (77 FR 33659) conditional approval of Illinois' rules. EPA is also proposing to approve volatile organic compound (VOC) content limits and associated provisions for additional consumer products categories into the State's SIP. Finally, EPA is proposing to approve language to clarify VOC limit applicability for architectural and industrial maintenance coatings into the Illinois SIP.

**DATES:** Comments must be received on or before June 5, 2013.

**ADDRESSES:** Submit your comments, identified by Docket ID Nos. EPA-R05-OAR-2010-0394, EPA-R05-OAR-2012-0786, by one of the following methods:

1. *www.regulations.gov*: Follow the on-line instructions for submitting comments.
2. *Email*: [blakley.pamela@epa.gov](mailto:blakley.pamela@epa.gov).
3. *Fax*: (312) 692-2450.
4. *Mail*: Pamela Blakley, Chief, Control Strategies Section, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.
5. *Hand Delivery*: Pamela Blakley, Chief, Criteria Pollutant Section, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604. Such deliveries are only accepted during the Regional Office normal hours of operation, and special arrangements should be made for deliveries of boxed information. The Regional Office official hours of business is Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding Federal holidays.

Please see 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:** Anthony Maietta, Environmental

Protection Specialist, Air Programs Branch (AR-18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353-8777, [maietta.anthony@epa.gov](mailto:maietta.anthony@epa.gov).

**SUPPLEMENTARY INFORMATION:** In the Final Rules section of this **Federal Register**, EPA is approving the State's SIP submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this rule, no further activity is contemplated. If EPA receives 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 rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if 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. For additional information, see the direct final rule which is located in the Rules section of this **Federal Register**.

Dated: February 13, 2013.

**Susan Hedman,**

*Regional Administrator, Region 5.*

[FR Doc. 2013-09296 Filed 5-3-13; 8:45 am]

**BILLING CODE 6560-50-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 17

[FWS-R2-ES-2012-0071; 4500030113]

RIN 1018-AY21

#### Endangered and Threatened Wildlife and Plants; Listing the Lesser Prairie-Chicken as a Threatened Species With a Special Rule

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Proposed rule; revision and reopening of comment period.

**SUMMARY:** We, the U.S. Fish and Wildlife Service, propose to create a special rule under authority of section 4(d) of the Endangered Species Act of 1973, as amended (Act), that provides

measures that are necessary and advisable to provide for the conservation of the lesser prairie-chicken (*Tympanuchus pallidicinctus*). In addition, we announce the reopening of the public comment period on the December 11, 2012, proposed rule to list the lesser prairie-chicken as a threatened species under the Act. We also announce the availability of a draft rangewide conservation plan for the lesser prairie-chicken, which has been prepared by the Lesser Prairie-Chicken Interstate Working Group, and request comments on the plan as it relates to our determination of status under section 4(a)(1) of the Act.

**DATES:** We will accept comments received or postmarked on or before June 20, 2013. Comments submitted electronically using the Federal eRulemaking Portal (see **ADDRESSES**, below) must be received by 11:59 p.m. Eastern Time on the closing date. We must receive requests for public hearings, in writing, at the address shown in **ADDRESSES** by June 20, 2013.

**ADDRESSES:** You may submit comments by one of the following methods:

(1) *Electronically:* Go to the Federal eRulemaking Portal: <http://www.regulations.gov>. In the Search box, enter FWS-R2-ES-2012-0071, which is the docket number for this rulemaking. You may submit a comment by clicking on "Comment Now!"

(2) *By hard copy:* Submit by U.S. mail or hand-delivery to: Public Comments Processing, Attn: FWS-R2-ES-2012-0071; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, MS 2042-PDM; Arlington, VA 22203.

We request that you send comments only by one of the methods described above. We will post all comments on <http://www.regulations.gov>. This generally means that we will post any personal information you provide us (see the Public Comments section below for more information).

#### FOR FURTHER INFORMATION CONTACT:

Dixie Porter, Field Supervisor, Oklahoma Ecological Services Field Office, 9014 East 21st Street, Tulsa, OK 74129; by telephone 918-581-7458 or by facsimile 918-581-7467. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 800-877-8339.

#### SUPPLEMENTARY INFORMATION:

##### Executive Summary

This document consists of: (1) A proposed special rule under section 4(d) of the Endangered Species Act of 1973, as amended (Act; 16 U.S.C. 1531 et

seq.), that outlines the prohibitions, and exceptions to those prohibitions, necessary and advisable to provide for the conservation of the lesser prairie-chicken; and (2) a reopening of the comment period for the proposed rule to list the lesser prairie-chicken as a threatened species under the Act.

Why We Need To Publish a Proposed Rule. On December 11, 2012, the Service published a proposed rule to list the lesser prairie-chicken as a threatened species under the Act (77 FR 73828). At that time, the Service indicated that we would consider whether to subsequently propose a section 4(d) special rule (hereafter referred to as 4(d) special rule). Section 4(d) of the Act specifies that, for threatened species, the Secretary shall issue such regulations as [s]he deems necessary and advisable to provide for the conservation of the species. This proposed 4(d) special rule provides measures that are tailored to the conservation needs of the lesser prairie-chicken.

What Is the Effect of This Proposed Rule? At the time of the 2012 proposed listing rule (77 FR 73828), we indicated that we would consider whether to subsequently propose a 4(d) special rule for the lesser prairie-chicken. We are now proposing a 4(d) special rule and intend to finalize it concurrent with the final listing rule, if the results of our final listing determination conclude that threatened species status is appropriate.

The proposed 4(d) special rule allows for take of the lesser prairie-chicken incidental to activities conducted pursuant to a comprehensive conservation program that was developed by or in coordination with a State agency and that has been determined by the Service pursuant to the criteria outlined in this proposed rule to provide a net conservation benefit to the lesser prairie-chicken. Additionally, the proposed 4(d) special rule provides that any take of lesser prairie-chickens incidental to agricultural activities that are included within a conservation plan developed by the Natural Resources Conservation Service (NRCS) for private agricultural lands in connection with NRCS's Lesser Prairie-Chicken Initiative (LPCI), as specified in this proposed rule, is not a prohibited action under the Act. If an activity resulting in take of lesser prairie-chicken is not exempted under this 4(d) special rule, then the general prohibitions at 50 CFR 17.31 would apply. We would require a permit for such an activity as specified in our regulations. Nothing in this proposed 4(d) special rule affects the consultation requirements under section 7 of the Act.