

**DATES:** This deviation is effective from 6 a.m. on December 11, 2015 to 11:59 p.m. on December 31, 2015.

**ADDRESSES:** The docket for this deviation, [USCG–2015–1066] is available at <http://www.regulations.gov>. Type the docket number in the “SEARCH” box and click “SEARCH.” Click on Open Docket Folder on the line associated with this deviation.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this temporary deviation, call or email the Bridge Administrator, Coast Guard Thirteenth District; telephone 206–220–7282 email [d13-pf-d13bridges@uscg.mil](mailto:d13-pf-d13bridges@uscg.mil).

**SUPPLEMENTARY INFORMATION:** WSDOT has requested a temporary deviation from the operating schedule for the Simpson Avenue Bridge crossing the Hoquiam River, mile 0.5, at Hoquiam, WA. WSDOT requested to only open one leaf of the double leaf bascule bridge when at least two hours of notice is given. WSDOT also requested to reduce the vertical clearance from 35 feet to approximately 25 feet at mean high tide, and reduce the horizontal navigation clearance from 125 feet to 52 feet while operating single leaf.

The normal operating schedule for the Simpson Avenue Bridge operates in accordance with 33 CFR 117.1047, which states the bridge shall open on signal if at least one hour notice is given. Simpson Avenue Bridge is a double leaf bascule bridge and provides 35 feet of vertical clearance above mean high water elevation while in the closed-to-navigation position.

This deviation allows the Simpson Avenue Bridge at mile 0.5 crossing the Hoquiam River, to operate in single leaf, half of the span, to maritime traffic from 6 a.m. on December 11, 2015 to 11:59 p.m. on December 31, 2015. The bridge shall operate in accordance to 33 CFR 117.1047 at all other times.

Vessels able to pass through the bridge in the closed-to-navigation position may do so at anytime. Scaffolding will be erected below the bridge for personnel to work from reducing the vertical clearance to approximately 25 feet while the bridge is in the closed-to-navigation position. The bridge will not be able to open for vessels engaged in emergency response operations during this closure period without a two hour notice.

Waterway usage on this part of the Hoquiam River ranges from tug and barge to small pleasure craft. WSDOT has examined bridge opening logs, and contacted all waterway users that have requested bridge openings throughout the last year. The input WSDOT received from waterway users indicated

that this deviation will have no impact on the known users. No immediate alternate route for vessels to pass is available on this part of the river. The Coast Guard will also inform the users of the waterways through our Local and Broadcast Notices to Mariners of the change in operating schedule for the bridge so that vessels can arrange their transits to minimize any impact caused by the temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridges must return to their regular operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: December 8, 2015.

**Steven M. Fischer,**

*Bridge Administrator, Thirteenth Coast Guard District.*

[FR Doc. 2015–31388 Filed 12–11–15; 8:45 am]

**BILLING CODE 9110–04–P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA–R06–OAR–2012–0205; FRL–9940–03–Region 6]

### Approval and Promulgation of Implementation Plans; Texas; El Paso Particulate Matter Contingency Measures

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

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is approving under the Federal Clean Air Act (the Act) State Implementation Plan (SIP) revisions submitted by the State of Texas. These revisions pertain to contingency measures for particulate matter in the City of El Paso. The affected contingency measures are the paving of alleys and sweeping of streets.

**DATES:** This final rule is effective on January 13, 2016.

**ADDRESSES:** The EPA has established a docket for this action under Docket ID No. EPA–R06–OAR–2012–0205. All documents in the docket are listed on the <http://www.regulations.gov> Web site. Although listed in the index, some information is not publicly available, e.g., Confidential Business Information or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket

materials are available either electronically through <http://www.regulations.gov> or in hard copy at the EPA Region 6, 1445 Ross Avenue, Suite 700, Dallas, Texas 75202–2733.

### FOR FURTHER INFORMATION CONTACT:

Jeffrey Riley, 214–665–8542, [riley.jeffrey@epa.gov](mailto:riley.jeffrey@epa.gov).

### SUPPLEMENTARY INFORMATION:

Throughout this document wherever “we,” “us,” or “our” is used, we mean the EPA.

## I. Background

The background for today’s action is discussed in detail in our August 19, 2015 proposal (80 FR 50248). In that notice, we proposed to approve revisions to the Texas SIP pertaining to contingency measures for controlling particulate matter (PM) with an aerodynamic diameter less than or equal to a nominal ten micrometers (PM<sub>10</sub>) in the City of El Paso. We did not receive any comments regarding our proposal.

## II. Final Action

We are approving revisions to the Texas SIP pertaining to PM<sub>10</sub> dust control contingency measures in the City of El Paso. The State’s revisions submitted on March 7, 2012 amend rule 30 TAC section 111.147(1)(E) by removing the requirement to pave alleys at the rate of 15 miles/year, and replace it with the following requirements:

(1) All new alleys must be paved;

(2) Unpaved alleys may not be used for residential garbage and recycling collection; and

(3) The use of recycled asphalt product as defined in section 111.145 and section 111.147(1) may be used as an alternate means of particulate matter control for alleys.

We are also approving revisions to 30 TAC section 111.147(1) that define reclaimed asphalt pavement, and 30 TAC section 111.147(2) that changes the sweeping frequency requirement from four to three times per year in the city limits and from six to four times per week in the El Paso central business district. This action is being taken under section 110 of the Act.

## III. Incorporation by Reference

In this rule, we are finalizing regulatory text that includes incorporation by reference. In accordance with the requirements of 1 CFR 51.5, we are finalizing the incorporation by reference of the revisions to the Texas regulations as described in the Final Action section above. We have made, and will continue to make, these documents generally available electronically through

www.regulations.gov and/or in hard copy at the EPA Region 6 office.

#### IV. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a "significant regulatory action" subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4);
- Does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);

- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act; and

- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by February 12, 2016. Filing a petition for

reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposed of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

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

Environmental protection, Air pollution control, Incorporation by reference, Particulate matter, Reporting and recordkeeping requirements.

Dated: November 19, 2015.

Ron Curry,

Regional Administrator, Region 6.

40 CFR part 52 is amended as follows:

#### PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

- 1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

#### Subpart SS—Texas

- 2. In § 52.2270:

■ a. In paragraph (c), the table titled "EPA Approved Regulations in the Texas SIP" is amended by revising the entry for Section 111.147.

■ b. In paragraph (e), the second table titled "EPA-Approved Nonregulatory Provisions and Quasi-Regulatory Measures in the Texas SIP" is amended by adding an entry at the end for "Revision to El Paso PM<sub>10</sub> Attainment Demonstration SIP".

The revision and addition read as follows:

#### § 52.2270 Identification of plan.

\* \* \* \* \*

(c) \* \* \*

#### EPA APPROVED REGULATIONS IN THE TEXAS SIP

State citation	Title/subject	State approval/ submittal date	EPA approval date	Explanation
*	*	*	*	*

#### Chapter 111 (Reg 1)—Control of Air Pollution From Visible Emissions and Particulate Matter

#### Subchapter A: Visible Emissions and Particulate Matter

## EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/subject	State approval/ submittal date	EPA approval date	Explanation
*	*	*	*	*
<b>Division 4: Materials Handling, Construction, Roads, Streets, Alleys, and Parking Lots</b>				
Section 111.147 .....	Roads, Streets, and Alleys .....	1/25/2012	12/14/2015 [Insert FEDERAL REGISTER citation].	
*	*	*	*	*

\* \* \* \* \*

## EPA APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE TEXAS SIP

Name of SIP provision	Applicable geographic or nonattainment area	State submittal/ effective date	EPA approval date	Comments
Revision to El Paso PM <sub>10</sub> Attainment Demonstration SIP (dust control contingency measures).	El Paso, TX .....	3/7/2012	12/14/2015 [Insert FEDERAL REGISTER citation].	

[FR Doc. 2015–31310 Filed 12–11–15; 8:45 am]

BILLING CODE 6560–50–P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 180

[EPA–HQ–OPP–2014–0769; FRL–9937–22]

### Naphthalene Acetates; Pesticide Tolerances

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

**ACTION:** Final rule.

**SUMMARY:** This regulation establishes a tolerance for residues of the naphthalene acetate group in or on pomegranate. Interregional Research Project Number 4 (IR–4) requested the tolerance under the Federal Food, Drug, and Cosmetic Act (FFDCA).

**DATES:** This regulation is effective December 14, 2015. Objections and requests for hearings must be received on or before February 12, 2016, and must be filed in accordance with the instructions provided in 40 CFR part 178 (see also Unit I.C. of the **SUPPLEMENTARY INFORMATION**).

**ADDRESSES:** The docket for this action, identified by docket identification (ID) number EPA–HQ–OPP–2014–0769, is available at <http://www.regulations.gov>

or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW., Washington, DC 20460–0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744, and the telephone number for the OPP Docket is (703) 305–5805. Please review the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

**FOR FURTHER INFORMATION CONTACT:** Susan Lewis, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001; main telephone number: (703) 305–7090; email address: [RDfRNotices@epa.gov](mailto:RDfRNotices@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

###### A. Does this action apply to me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather

provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

###### B. How can I get electronic access to other related information?

You may access a frequently updated electronic version of EPA's tolerance regulations at 40 CFR part 180 through the Government Printing Office's e-CFR site at [http://www.ecfr.gov/cgi-bin/text-idx?&c=ecfr&tpl=/ecfrbrowse/Title40/40tab\\_02.tpl](http://www.ecfr.gov/cgi-bin/text-idx?&c=ecfr&tpl=/ecfrbrowse/Title40/40tab_02.tpl).

###### C. How can I file an objection or hearing request?

Under FFDCA section 408(g), 21 U.S.C. 346a, any person may file an objection to any aspect of this regulation and may also request a hearing on those objections. You must file your objection or request a hearing on this regulation in accordance with the instructions provided in 40 CFR part 178. To ensure proper receipt by EPA, you must identify docket ID number EPA–HQ–OPP–2014–0769 in the subject line on the first page of your submission. All objections and requests for a hearing