

Short-Term Revision submitted by Texas is no less stringent than the corresponding federal regulation. Therefore, EPA intends to approve the program revision.

**DATES:** All interested parties may request a public hearing. A request for a public hearing must be submitted by July 16, 2012 to the Regional Administrator at the EPA Region 6 address shown below. Frivolous or insubstantial requests for a hearing may be denied by the Regional Administrator. However, if a substantial request for a public hearing is made by July 16, 2012, a public hearing will be held. If no timely and appropriate request for a hearing is received and the Regional Administrator does not elect to hold a hearing on his own motion, this determination shall become final and effective on July 16, 2012. Any request for a public hearing shall include the following information: The name, address, and telephone number of the individual, organization, or other entity requesting a hearing; a brief statement of the requesting person's interest in the Regional Administrator's determination and a brief statement of the information that the requesting person intends to submit at such hearing; and the signature of the individual making the request, or, if the request is made on behalf of an organization or other entity, the signature of a responsible official of the organization or other entity.

**ADDRESSES:** All documents relating to this determination are available for inspection between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, at the following offices: Texas Commission on Environmental Quality, Water Supply Division, Public Drinking Water Section (MC-155), Building F, 12100 Park 35 Circle, Austin, TX 78753; and United States Environmental Protection Agency, Region 6, Drinking Water Section (6WQ-SD), 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202.

**FOR FURTHER INFORMATION CONTACT:** Damon McElroy, EPA Region 6, Drinking Water Section at the Dallas address given above or at telephone (214) 665-7159, or by email at [mcelroy.damon@epa.gov](mailto:mcelroy.damon@epa.gov).

**Authority:** Section 1413 of the Safe Drinking Water Act, as amended (1996), and 40 CFR part 142 of the National Primary Drinking Water Regulations.

Dated: June 7, 2012.

**Samuel Coleman,**

*Acting Regional Administrator, Region 6.*

[FR Doc. 2012-14570 Filed 6-13-12; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OAR-2011-0894; FRL-9681-1]

### Regulation of Fuel and Fuel Additives; Modification to Octamix Waiver (TOLAD)

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

**ACTION:** Notice.

**SUMMARY:** The Environmental Protection Agency has reconsidered a portion of a fuel waiver granted to the Texas Methanol Corporation (Texas Methanol) under the Clean Air Act on February 8, 1988. This waiver was previously reconsidered and modified on October 28, 1988 in a **Federal Register** publication titled "Fuel and Fuel Additives; Modification of a Fuel Waiver Granted to the Texas Methanol Corporation." Today's notice approves the use of an alternative corrosion inhibitor, TOLAD MFA-10A, in Texas Methanol's gasoline-alcohol fuel, OCTAMIX.

**ADDRESSES:** EPA has established a docket for this action under Docket ID Number EPA-HQ-OAR-2011-0894. All documents and public comments in the docket are listed on the <http://www.regulations.gov> Web site. Publically available docket materials are available either electronically through <http://www.regulations.gov> or in hard copy at the Air Docket, EPA Headquarters Library, Mail Code: 2822T, EPA West Building, 1301 Constitution Ave. NW., Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding holidays. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding holidays. The telephone number for the Public Reading Room is (202) 566-1742, and the facsimile number for the Air Docket is (202) 566-9744.

**FOR FURTHER INFORMATION CONTACT:** For information regarding this notice contact, Joseph R. Sopata, U.S. Environmental Protection Agency, Office of Air and Radiation, Office of Transportation and Air Quality, (202) 343-9034, fax number, (202) 343-2800, email address: [sopata.joe@epa.gov](mailto:sopata.joe@epa.gov).

#### SUPPLEMENTARY INFORMATION:

#### I. Background

Section 211(f)(1) of the Clean Air Act (CAA or the Act) makes it unlawful for any manufacturer of any fuel or fuel additive to first introduce into commerce, or to increase the concentration in use of, any fuel or fuel

additive for use by any person in motor vehicles manufactured after model year 1974, which is not substantially similar to any fuel or fuel additive utilized in the certification of any model year 1975, or subsequent model year, vehicle or engine under section 206 of the Act. The Environmental Protection Agency (EPA or the Agency) last issued an interpretive rule on the phrase "substantially similar" at 73 FR 22281 (April 25, 2008). Generally speaking, this interpretive rule describes the types of unleaded gasoline that are likely to be considered "substantially similar" to the unleaded gasoline utilized in EPA's certification program by placing limits on a gasoline's chemical composition as well as its physical properties, including the amount of alcohols and ethers (oxygenates) that may be added to gasoline. Fuels that are found to be "substantially similar" to EPA's certification fuels may be registered and introduced into commerce. The current "substantially similar" interpretive rule for unleaded gasoline allows no more than 2.7 percent oxygen by weight for certain ethers and alcohols.

Section 211(f)(4) of the Act provides that upon application of any fuel or fuel additive manufacturer, the Administrator may waive the prohibitions of section 211(f)(1) if the Administrator determines that the applicant has established that the fuel or fuel additive, or a specified concentration thereof, will not cause or contribute to a failure of any emission control device or system (over the useful life of the motor vehicle, motor vehicle engine, nonroad engine or nonroad vehicle in which such device or system is used) to achieve compliance by the vehicle or engine with the emission standards to which it has been certified pursuant to sections 206 and 213(a) of the Act. The statute requires that the Administrator shall take final action to grant or deny an application after public notice and comment, within 270 days of receipt of the application.

The Texas Methanol Corporation received a waiver under CAA section 211(f)(4) for a gasoline-alcohol fuel blend, known as OCTAMIX,<sup>1</sup> provided that the resultant fuel is composed of a maximum of 3.7 percent by weight oxygen, a maximum of 5 percent by volume methanol, a minimum of 2.5 percent by volume co-solvents<sup>2</sup> and

<sup>1</sup> OCTAMIX waiver decision, 53 FR 3636 (February 8, 1988).

<sup>2</sup> The co-solvents are any one or a mixture of ethanol, propanols, butanols, pentanols, hexanols, heptanols and octanols with the following constraints: the ethanol, propanols and butanols or mixtures thereof must compose a minimum of 60

42.7 milligrams per liter (mg/l) of Petrolite TOLAD MFA-10 corrosion inhibitor.<sup>3</sup> In the OCTAMIX waiver, the Agency invited other corrosion inhibitor manufacturers to submit test data to establish, on a case-by-case basis, whether their fuel additive formulations are acceptable as alternatives to TOLAD MFA-10.<sup>4</sup>

On October 14, 2011, Baker Hughes requested EPA allow the use of its alternative corrosion inhibitor, TOLAD™ MFA-10A, in the OCTAMIX gasoline-alcohol fuel blend which otherwise would not be allowed under the waiver.<sup>5</sup> TOLAD™ MFA-10A is a fuel additive formulation consisting of a corrosion inhibitor.

On January 20, 2012, EPA published a notice in the **Federal Register** (77 FR 2979) announcing receipt of Baker Hughes's request and inviting comment on it. The comment period closed on February 21, 2012. EPA received comments from four commenters (discussed below).

## II. Discussion

One of the major areas of concern to EPA in reviewing any waiver request is the problem of materials compatibility. Materials compatibility data could show a potential failure of fuel systems, emissions related parts and emission control parts from use of the fuel or fuel additive. Any failure could result in greater emissions that would cause or contribute to the engines or vehicles exceeding their emissions standards. Initially, Texas Methanol requested the use of TOLAD MFA-10 or an appropriate concentration of any other corrosion inhibitor such that the fuel will pass the National Association of Corrosion Engineer's TM-01-72 (NACE RUST TEST). However, EPA concluded that compliance with the NACE Rust Test alone was not adequate in determining suitability of a corrosion inhibitor for use under the OCTAMIX waiver.<sup>6</sup> The Agency decided, therefore, to look at corrosion inhibitors on a case-by-case basis to establish whether each formulation would be acceptable as an alternative to the formulation of the original corrosion inhibitor, TOLAD

percent by weight of the co-solvent mixture; a maximum limit of 40 percent by weight of the co-solvents mixture is placed on the pentanols, hexanols, heptanols and octanols; and the heptanols and octanols are limited to 5 percent by weight of the co-solvent mixture.

<sup>3</sup> Additional conditions were the final fuel must meet ASTM volatility specifications contained in ASTM D439-85a, as well as phase separation conditions specified in ASTM D-2 Proposal P-176 and Texas Methanol alcohol purity specifications.

<sup>4</sup> 53 FR at 3637.

<sup>5</sup> EPA-HQ-OAR-2011-0894-0001.

<sup>6</sup> 53 FR at 3637.

MFA-10, used in the OCTAMIX waiver.<sup>7</sup>

In order to determine whether the OCTAMIX waiver would meet the criteria of section 211(f) if TOLAD MFA-10A were to be used an alternative corrosion inhibitor, EPA reviewed all data submitted with or referenced by the Baker Hughes application. Baker Hughes provided data showing their corrosion inhibitor, TOLAD MFA-10A, met the NACE corrosion test.<sup>8</sup> EPA also considered the information received from the public during the public comment period. There were four public comments submitted to the Agency in response to the notice published on January 20, 2012. Carbon Recycling International,<sup>9</sup> Methanex,<sup>10</sup> Methanol Institute<sup>11</sup> and TEIR Associates Incorporated<sup>12</sup> submitted comments in support of allowing TOLAD MFA-10A as an alternative corrosion inhibitor for use in the OCTAMIX fuel. Two of these commenters noted that the original corrosion inhibitor, TOLAD MFA-10, had been used successfully by several refiners on a commercial basis as an effective corrosion inhibitor. Two commenters, in addition to Baker Hughes, stated that the active ingredients for corrosion inhibitor efficacy are the same for both TOLAD MFA-10 and TOLAD MFA-10A, while one commenter in addition to Baker Hughes noted that the only difference between these two corrosion inhibitor formulations is a solvent to improve additive handling in commerce. Three commenters noted that the Baker Hughes' evaluation of both TOLAD MFA-10 and TOLAD MFA-10A resulted in equivalent passing performance with regards to the NACE corrosion test.<sup>13</sup>

TOLAD MFA-10A is a fuel additive containing the same active ingredients for corrosion inhibitor efficacy with OCTAMIX gasoline-alcohol fuels as the original corrosion inhibitor approved in the OCTAMIX waiver, TOLAD MFA-10. The only difference between TOLAD MFA-10 and TOLAD MFA-10A is a solvent formulation change to improve additive handling in commerce. Both TOLAD MFA-10 and TOLAD MFA-10A were evaluated under the most aggressive fuel formulation of alcohols allowed under the OCTAMIX waiver that included only methanol at 5

<sup>7</sup> 53 FR at 3637.

<sup>8</sup> NACE Standard TM-01-72.

<sup>9</sup> EPA-HQ-OAR-2011-0894-0008.

<sup>10</sup> EPA-HQ-OAR-2011-0894-0007.

<sup>11</sup> EPA-HQ-OAR-2011-0894-0005.

<sup>12</sup> EPA-HQ-OAR-2011-0894-0006.

<sup>13</sup> EPA-HQ-OAR-2011-0894-0002 and EPA-HQ-OAR-2011-0894-0003.

volume percent and ethanol at 2.5 volume percent. The use of higher molecular weight cosolvent alcohols, such as propanols or butanols, would tend to be less corrosive. Both TOLAD MFA-10 and TOLAD MFA-10A passed the NACE corrosion test with the most aggressive fuel allowed under the OCTAMIX waiver. Since TOLAD MFA-10A passed the NACE corrosion test using the most aggressive fuel formulation allowed under the OCTAMIX waiver, the Agency believes that Baker Hughes has demonstrated that TOLAD MFA-10A is an effective corrosion inhibitor for use under the OCTAMIX waiver.

With regard to the question of the emissions impacts of TOLAD MFA-10A, its minimum treat rate of 25 mg/l is about 40 percent less than TOLAD MFA-10. The chemical composition and treat rate of TOLAD MFA-10A, which is less than 0.01 mass percent by weight, is such that it is a fuel additive falling under the baseline gasoline fuel grouping category<sup>14</sup> under our fuel and fuel additive registration regulations. In addition, the chemical composition and treat rate of TOLAD MFA-10A is such that it is a fuel additive that meets our gasoline substantially similar definition.<sup>15</sup> Given that TOLAD MFA-10A is a fuel additive that is both substantially similar to the fuel additives used in our certification program and a fuel additive falling under our baseline gasoline fuel category, one would not expect significant emissions changes from the use of TOLAD MFA-10A compared to other fuel additives that fall under the baseline gasoline fuel category, which also includes TOLAD MFA-10 and DMA-67. Therefore, as long as the other conditions of the OCTAMIX waiver are met, which include applicable gasoline volatility specifications,<sup>16</sup> gasoline phase separation specifications<sup>17</sup> and alcohol purity conditions,<sup>18</sup> the Agency

<sup>14</sup> See 40 CFR 79.56(e)(3)(i).

<sup>15</sup> For our most recent substantially similar gasoline interpretative rule, please see: <http://www.epa.gov/fedrgstr/EPA-AIR/2008/April/Day-25/a8944.pdf>.

<sup>16</sup> See 40 CFR 80.27 for applicable volatility specifications for conventional gasoline, or 40 CFR 80 Subpart D for reformulated gasoline requirements, or any applicable state implementation plan approved by EPA that includes low RVP fuel.

<sup>17</sup> See American Society for Testing and Materials (ASTM) D4814 for applicable gasoline phase separation conditions.

<sup>18</sup> Additional conditions were the final fuel must meet ASTM volatility specifications contained in ASTM D439-85a (ASTM D4814 supercedes ASTM D439-85a), as well as phase separation conditions specified in ASTM D-2 Proposal P-176 (ASTM D4814 supercedes ASTM D-2 Proposal P-176) and Texas Methanol alcohol purity specifications.

believes that the use of TOLAD MFA-10A in place of TOLAD MFA-10 will allow engines and vehicles to remain compliant with their emissions standards when using fuels made as approved under the original conditions granted for the OCTAMIX waiver.

### III. Finding and Conclusion

Based on the information submitted by Baker Hughes in its application, and the additional information received during the public comment period, I conclude that the performance of TOLAD MFA-10A in OCTAMIX would be comparable to TOLAD MFA-10, the original corrosion inhibitor approved under the OCTAMIX waiver. Therefore, I am modifying condition (3) of the OCTAMIX waiver to read as follows:

(3) Any one of the following four corrosion inhibitors must be included:

(a) Petrolite's corrosion inhibitor formulation, TOLAD MFA-10, blended in the final fuel at 42.7 mg/l;

OR

(b) DuPont's corrosion inhibitor formulation, DMA-67, blended in the final fuel at 31.4 mg/l;

OR

(c) Spirit of 21st Century LLC's corrosion inhibitor formulation, TXCEED, blended in the final fuel at 3.9 ml/gal (987.6 mg/l);

OR

(d) Baker Hughes's corrosion inhibitor formulation, TOLAD MFA-10A, blended in the final fuel at 25 mg/l.

This action should provide additional flexibility to any manufacturer wishing to produce the OCTAMIX blend. At the same time, any manufacturer wishing to use a corrosion inhibitor other than the four permitted by the OCTAMIX waiver must apply for a further modification of the waiver. Since EPA is still unaware of any basis for extrapolating findings in the emissions impact of one corrosion inhibitor to other corrosion inhibitors, the Agency will continue to examine the emissions impact of specific corrosion inhibitor formulations on a case-by-case basis.

### IV. Miscellaneous

This waiver modification decision is final agency action of national applicability for purposes of section 307(b)(1) of the Act. Pursuant to CAA section 307(b)(1), judicial review of this final agency action may be sought only in the United States Court of Appeals for the District of Columbia Circuit. Petitions for review must be filed by August 13, 2012. Judicial review of this final agency action may not be obtained in subsequent proceedings, pursuant to CAA section 307(b)(2). This action is not a rulemaking and is not subject to

the various statutory and other provisions applicable to a rulemaking.

Dated: June 7, 2012.

**Lisa P. Jackson,**  
Administrator.

[FR Doc. 2012-14569 Filed 6-13-12; 8:45 am]

BILLING CODE 6560-50-P

### EXPORT-IMPORT BANK OF THE UNITED STATES

[Public Notice 2012-0134]

#### Agency Information Collection Activities: Final Collection; Comment Request

**AGENCY:** Export-Import Bank of the U.S.  
**ACTION:** Submission for OMB review and comments request.

*Form Title:* EIB 09-01 Payment Default Report OMB 3048-0028.

**SUMMARY:** The Export-Import Bank of the United States (Ex-Im Bank), as a part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal Agencies to comment on the proposed information collection, as required by the Paperwork Reduction Act of 1995.

This collection allows insured/guaranteed parties and insurance brokers to report overdue payments from the borrower and/or guarantor. Ex-Im Bank customers will submit this form electronically through Ex-Im Online, replacing paper reporting. Ex-Im Bank has simplified reporting of payment defaults in this form by including checkboxes and providing for many fields to be self-populated. Ex-Im Bank provides insurance, loans, and guarantees for the financing of exports of goods and services.

**DATES:** Comments should be received on or before August 13, 2012 to be assured of consideration.

**ADDRESSES:** Direct all comments to Mauricio Paredes, Export-Import Bank of the United States, 811 Vermont Ave. NW., Washington, DC 20571.

#### SUPPLEMENTARY INFORMATION:

*Titles and Form Number:* EIB 09-01 Payment Default Report.

*OMB Number:* 3048-0028.

*Type of Review:* Regular.

*Need and Use:* the information requested enables insured/guaranteed parties and insurance brokers to report overdue payments from the borrower and/or guarantor.

*Affected Public:* Insured/guaranteed parties and brokers.

*Annual Number of Respondents:* 200.

*Estimated Time per Respondent:* 15 minutes.

*Government Review Time:* 50 hours.  
*Cost to the Government:* \$2,000.

**Sharon A. Whitt,**

Agency Clearance Officer.

[FR Doc. 2012-14551 Filed 6-13-12; 8:45 am]

BILLING CODE 6690-01-P

### EXPORT-IMPORT BANK OF THE UNITED STATES

[Public Notice 2012-0136]

#### Agency Information Collection Activities: Final Collection; Comment Request

**AGENCY:** Export-Import Bank of the U.S.  
**ACTION:** Submission for OMB Review and Comments Request.

*Form Title:* EIB 94-08 Notification and Assignment by Insured to Financial Institution of Medium Term Export Credit Insurance Policy.

**SUMMARY:** The Export-Import Bank of the United States (Ex-Im Bank), as a part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal Agencies to comment on the proposed information collection, as required by the Paperwork Reduction Act of 1995. Ex-Im Bank is requesting an emergency approval of Ex-Im Bank form EIB 94-08, Notification and Assignment by Insured to Financial Institution of Medium Term Export Credit Insurance Policy. Ex-Im Bank's exporter policy holders, along with the financial institution providing it with financing, provide this form to Ex-Im Bank. The form transfers the duties and obligations of the insured exporter to the financial institution. It also provides certifications to the financial institution and Ex-Im Bank that the financed export transaction results in a valid, enforceable, and performing debt obligation. Exporter policy holders need this form to obtain financing for their medium term export sales. Ex-Im Bank believes that EIB 94-08 requires emergency approval in order to continue operation of its medium term program for U.S. exporters.

Lack of an emergency approval of this form would greatly restrict our ability to support many of the export sales made by U.S. businesses. Without this form, it would not be possible for financial institutions to obtain sufficient comfort to provide funding to our exporter policy holders. This would adversely impact Ex-Im Bank's ability to finance small business exporters and its overall mission to support U.S. exports and maintain U.S. jobs. Accordingly, Ex-Im Bank requests emergency approval of