

**DEPARTMENT OF DEFENSE****Department of the Army, Corps of Engineers****33 CFR Chapter II****USACE's Plan for Retrospective Review Under E.O. 13563**

**AGENCY:** U.S. Army Corps of Engineers, DoD.

**ACTION:** Extension of comment period.

**SUMMARY:** On November 16, 2011, the U.S. Army Corps of Engineers (USACE) issued a Notice of Intent and Request for Comments on its plan to retrospectively review its Regulations implementing the USACE Regulatory Program at 33 CFR 320–332 and 334 in accordance with Executive Order 13563, “Improving Regulation and Regulatory Review” (E.O.), issued on January 18, 2011, directs federal agencies to review existing significant regulations and identify those that can be made more effective or less burdensome in achieving regulatory objectives. The Regulations are essential for implementation of the Regulatory mission; thus, USACE believes they are a significant rule warranting review pursuant to E.O. 13563. The E.O. further directs each agency to periodically review its existing significant regulations to determine whether any such regulations should be modified, streamlined, expanded, or repealed so as to make the agency’s regulatory program more effective or less burdensome in achieving the regulatory objectives. The original comment period ended on January 17, 2012. As a result of the request for time extensions, we have extended the comment period 45 days.

**DATES:** Written comments must be submitted on or before March 2, 2012.

**ADDRESSES:** You may submit comments, identified by docket number COE–2011–0028, by any of the following methods:

*Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

*Email:* [regulatory.review@usace.army.mil](mailto:regulatory.review@usace.army.mil). Include the docket number, COE–2011–0028, in the subject line of the message.

*Mail:* U.S. Army Corps of Engineers, ATTN: CECW–CO–R (Ms. Amy S. Klein), 441 G Street NW., Washington, DC 20314–1000.

*Hand Delivery/Courier:* Due to security requirements, we cannot receive comments by hand delivery or courier.

*Instructions:* Instructions for submitting comments are provided in the original notice published on November 16, 2011 (76 FR 70927).

*Docket:* For access to the docket to read background documents or comments received, go to [www.regulations.gov](http://www.regulations.gov). All documents in the docket are listed. Although listed in the index, some information is not publicly available, such as CBI 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.

**FOR FURTHER INFORMATION CONTACT:** Ms. Amy S. Klein, Headquarters, U.S. Army Corps of Engineers, Operations and Regulatory Community of Practice, Washington, DC 20314–1000, by phone at (202) 761–4559 or by email at [regulatory.review@usace.army.mil](mailto:regulatory.review@usace.army.mil).

**SUPPLEMENTARY INFORMATION:** Please refer to the original notice published on November 16, 2011 (76 FR 70927) for additional details. The original notice solicits comments regarding eight questions. These questions are not intended to be exhaustive, and respondents are encouraged to raise additional issues or make suggestions unrelated to these questions.

Dated: January 17, 2012.

**Richard C. Lockwood,**

*Acting Chief, Operations and Regulatory Directorate of Civil Works.*

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**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 52**

**[EPA–R03–OAR–2011–0642 FRL–9620–8]**

**Approval and Promulgation of Air Quality Implementation Plans; Delaware; Amendments to the Control of Nitrogen Oxides Emissions From Industrial Boilers and Process Heaters at Petroleum Refineries**

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve a State Implementation Plan (SIP) revision submitted by the State of Delaware. This SIP revision amends Delaware’s regulation that establishes controls for nitrogen oxides (NO<sub>x</sub>) emissions from industrial boilers and process heaters at petroleum refineries

by including a NO<sub>x</sub> emission limit for the fluid catalytic cracking unit carbon monoxide (CO) boiler at the Delaware City Refinery and providing for a facility-wide NO<sub>x</sub> emission cap compliance alternative. This SIP revision also includes a demonstration that these amendments to the existing Delaware regulation will not interfere with the attainment or maintenance of any National Ambient Air Quality Standards (NAAQS) or any other applicable requirement of the Clean Air Act (CAA). This action is being taken under the CAA.

**DATES:** Written comments must be received on or before February 22, 2012.

**ADDRESSES:** Submit your comments, identified by Docket ID Number EPA–R03–OAR–2011–0642 by one of the following methods:

A. *www.regulations.gov.* Follow the on-line instructions for submitting comments.

B. *Email:* [fernandez.cristina@epa.gov](mailto:fernandez.cristina@epa.gov).

C. *Mail:* EPA–R03–OAR–2011–0642, Cristina Fernandez, Associate Director, Office of Air Program Planning, Mailcode 3AP30, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103.

D. *Hand Delivery:* At the previously-listed EPA Region III address. Such deliveries are only accepted during the Docket’s normal hours of operation, and special arrangements should be made for deliveries of boxed information.

*Instructions:* Direct your comments to Docket ID No. EPA–R03–OAR–2011–0642. EPA’s policy is that all comments received 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 information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through [www.regulations.gov](http://www.regulations.gov) or email. The [www.regulations.gov](http://www.regulations.gov) Web site is an “anonymous access” system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through [www.regulations.gov](http://www.regulations.gov), your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact