

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 63****[EPA-HQ-OAR-2018-0815; FRL 10016-14-OAR]**

RIN 2060-AU39

Test Methods and Performance Specifications for Air Emission Sources; Correction**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final rule; correction.

SUMMARY: The Environmental Protection Agency (EPA) is correcting a final rule that was published in the **Federal Register** on October 7, 2020, and will be effective on December 7, 2020. The final rule corrected and updated regulations for source testing of emissions. This correction does not change any final action taken by the EPA on October 7, 2020; this action merely provides further clarification on the amendatory instructions for Method 311.

DATES: The final rule is effective on December 7, 2020.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA-HQ-OAR-2018-0815. All documents in the docket are listed at <http://www.regulations.gov>. 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. Publicly available docket materials are available electronically through <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: Mrs. Lula H. Melton, Office of Air Quality Planning and Standards, Air Quality Assessment Division (E143-02), Environmental Protection Agency, Research Triangle Park, NC 27711; telephone number: (919) 541-2910; fax number: (919) 541-0516; email address: melton.lula@epa.gov.

SUPPLEMENTARY INFORMATION: In FR doc 2020-18824 at 85 FR 63394 in the issue of October 7, 2020, the following correction to an amendatory instruction to “Appendix A to Part 63” is made.

On page 63419, in the second column, amendatory instruction 34.c is corrected

to read: “c. In Method 311, revising sections 1.1 and 17.4 through 17.6;”

Anne Austin,*Principal Deputy Assistant Administrator, Office of Air and Radiation.*

[FR Doc. 2020-23690 Filed 12-1-20; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 320****[EPA-HQ-OLEM-2019-0085, EPA-HQ-OLEM-2019-0086, EPA-HQ-OLEM-2019-0087, FRL-10017-87-OLEM]**

RIN 2050-AH03

Financial Responsibility Requirements Under CERCLA Section 108(b) for Facilities in the Electric Power Generation, Transmission, and Distribution Industry; the Petroleum and Coal Products Manufacturing Industry; and the Chemical Manufacturing Industry**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final actions.

SUMMARY: EPA (or the Agency) is finalizing its proposed decisions to not impose financial responsibility requirements under section 108(b) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) for facilities in three industry sectors: The electric power generation, transmission, and distribution industry, pursuant to EPA’s proposal of July 29, 2019; the petroleum and coal products manufacturing industry, pursuant to EPA’s proposal of December 23, 2019; and the chemical manufacturing industry, pursuant to EPA’s proposal of February 21, 2020. Today’s final rulemakings are based on the individual administrative records for each of the three proposed rulemakings, supported by additional analysis conducted in consideration of comments received in the public comment period for each proposed rule. In particular, after examining the existing environmental protections and regulations in place today and analyzing the Superfund program’s experience cleaning up sites in each industry, the Agency concluded that facilities in these three industries operating under a modern regulatory framework do not present a level of risk that warrants financial responsibility requirements under CERCLA section 108(b). Today’s final rulemakings are based on the record for these rulemakings, and do not affect EPA’s authority to take a response

or enforcement action under CERCLA with respect to any particular facility or industry, and do not affect the Agency’s authorities that may apply to particular facilities under other environmental statutes. This combined final rulemaking comprises the Agency’s final actions on each of the three proposed rules.

DATES: These final actions are effective on January 4, 2021.

ADDRESSES: EPA has established a docket for these actions under Docket ID No. EPA-HQ-OLEM-2019-0085, EPA-HQ-OLEM-2019-0086, and EPA-HQ-OLEM-2019-0087. All documents in the docket are listed on the <https://www.regulations.gov> website. Although listed in the index, some information is not publicly available, *e.g.*, Confidential Business Information (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. Publicly available docket materials are available electronically through <https://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: For more information on this document, contact Charlotte Mooney, U.S. Environmental Protection Agency, Office of Resource Conservation and Recovery, Mail Code 5303P, 1200 Pennsylvania Ave. NW, Washington, DC 20460; telephone (703) 308-7025 or (email) mooney.charlotte@epa.gov.

SUPPLEMENTARY INFORMATION:**Table of Contents**

- I. Executive Summary
 - A. Overview
 - B. Purpose of This Action
- II. Authority
- III. Background Information
 - A. Overview of Section 108(b) and Other CERCLA Provisions
 - B. History of Section 108(b) Rulemakings
 - 1. 2009 Identification of Priority Classes of Facilities for Development of CERCLA section 108(b) Financial Responsibility Requirements
 - 2. Additional Classes 2010 Advance Notice of Proposed Rulemaking
 - 3. 2014 Petition for Writ of Mandamus
 - 4. Additional Classes 2017 Notice of Intent To Proceed With Rulemakings
 - 5. The Hardrock Mining Proposal and Final Rulemaking
 - a. Proposed Rule
 - b. Decision to Not Impose Requirements
 - c. Litigation and D.C. Circuit Decision
- IV. Statutory Interpretation
- V. Electric Power Generation, Transmission and Distribution Industry
 - A. Proposed Rule
 - B. Summary of Key Comments Received and Agency Response
 - 1. Comments in Support of the Proposal
 - 2. Comments Opposed to the Proposal