PRE-PUBLICATION COPY NOTICE:

The following notice was signed on December 20, 2016:

STATE OF KENTUCKY UNDERGROUND INJECTION CONTROL (UIC) CLASS II PROGRAM; WITHDRAWAL OF PRIMACY APPROVAL

This is a pre-publication version of a rule withdrawal that EPA is submitting for publication in the Federal Register. While the Agency has taken steps to ensure the accuracy of this Internet version of the withdrawal, it is not the official version. Please refer to the official version that will appear in a forthcoming Federal Register publication. Once the official version publishes in the Federal Register, the pre-publication version that appears on the website will be replaced with a link to the rule withdrawal that appears in the Federal Register publication.
ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 147

[EPA-HQ-OW-2015-0372; FRL   ]

State of Kentucky Underground Injection Control (UIC) Class II Program; Withdrawal of Primacy Approval

AGENCY: Environmental Protection Agency (EPA).

ACTION: Withdrawal of direct final rule.

SUMMARY: Because the U.S. Environmental Protection Agency (EPA) received adverse comment, we are withdrawing the direct final rule approving the Commonwealth of Kentucky’s Underground Injection Control (UIC) Class II Program for primacy, published on October 28, 2016.

DATES: Effective [Insert date of publication in the Federal Register]. EPA withdraws the direct final rule published at 81 FR 74929, on October 28, 2016.

FOR FURTHER INFORMATION CONTACT: Holly S. Green, Drinking Water Protection Division, Office of Ground Water and Drinking Water (4606M), U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW, Washington, DC 20460; telephone number: (202) 566-0651; fax number: (202) 564-3754; email address: green.holly@epa.gov; or Nancy H. Marsh, Safe Drinking Water Branch, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street, SW, Atlanta, Georgia 30303; telephone number (404) 562-9450; fax number: (404) 562 9439; email address: marsh.nancy@epa.gov.

SUPPLEMENTARY INFORMATION:
Because EPA received adverse comment, we are withdrawing the direct final rule approving the Commonwealth of Kentucky’s Underground Injection Control Class II (UIC) Program for primacy, published on October 28, 2016. We stated in that direct final rule that if we received adverse comment by November 28, 2016, the direct final rule would not take effect and we would publish a timely withdrawal in the Federal Register. We subsequently received adverse comment on that direct final rule. We will address those comments in any subsequent final action, which will be based on the parallel proposed rule also published on October 28, 2016 (81 FR 75006). As stated in the direct final rule and the parallel proposed rule, we will not institute a second comment period on this action.

Dated: ________________________________

_____________________________________
Gina McCarthy,
Administrator.

Accordingly, amendments to the direct final rule published on October 28, 2016, are withdrawn as of [insert date of publication in the Federal Register].