

EPA's Acting Office Director of the Office of Transportation and Air Quality, Benjamin Hengst, signed the following Request for Further Comment on 4/11/2019, and EPA is submitting it for publication in the *Federal Register* (FR). While we have taken steps to ensure the accuracy of this Internet version of the Request, it is not the official version. Please refer to the official version in a forthcoming FR publication, which will appear on the Government Printing Office's FDSys website (www.gpo.gov/fdsys/search/home.action) and on Regulations.gov (www.regulations.gov) in Docket No. EPA-HQ-OAR-2016-0041. Once the official version of this document is published in the FR, this version will be removed from the Internet and replaced with a link to the official version.

6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 79 and 80

[EPA-HQ-OAR-2016-0041; FRL-XXXX-XX-XXX]

[RIN 2060-AS66]

Renewables Enhancement and Growth Support Rule

AGENCY: Environmental Protection Agency (EPA).

ACTION: Request for further comment.

SUMMARY: On November 16, 2016, the Environmental Protection Agency (EPA) proposed the Renewables Enhancement and Growth Support (REGS) rule. As part of the REGS rule, EPA proposed to codify a determination that basic information related to EPA actions on petitions for Renewable Fuel Standard (RFS) small refinery and small refiner exemptions may not be claimed as confidential business information. This document provides an opportunity to provide further comment on that proposed determination.

DATES: Comments must be received on or before **[INSERT DATE 15 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**.

ADDRESSES: You may send comments, identified by Docket ID No. EPA-HQ-OAR-2016-0041, by any of the following methods:

- Federal eRulemaking Portal: <https://www.regulations.gov> (our preferred method). Follow the online instructions for submitting comments.

- Mail: U.S. Environmental Protection Agency, EPA Docket Center, [Insert Program Office Name] Docket, Mail Code 28221T, 1200 Pennsylvania Avenue NW, Washington, DC 20460.
- Hand Delivery / Courier: EPA Docket Center, WJC West Building, Room 3334, 1301 Constitution Avenue, NW, Washington, DC 20004. The Docket Center’s hours of operations are 8:30 a.m. – 4:30 p.m., Monday – Friday (except Federal Holidays).

Instructions: All submissions received must include the Docket ID No. for this rulemaking. Comments received may be posted without change to <https://www.regulations.gov>, including any personal information provided. For detailed instructions on sending comments and additional information on the rulemaking process, see the “Written Comments” heading of the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Nick Parsons, Assessment and Standards Division, Office of Transportation and Air Quality, Environmental Protection Agency, 2000 Traverwood Drive, Ann Arbor, MI 48105; telephone number: (734) 214-4479; email address: parsons.nick@epa.gov. Comments on this proposal should not be submitted to this email address, but rather through <http://www.regulations.gov> as discussed in the **ADDRESSES** section.

SUPPLEMENTARY INFORMATION:

Written Comments. Submit your comments, identified by Docket ID No. EPA-HQ-OAR-2016-0041, at <https://www.regulations.gov> (our preferred method), or the other methods identified in the **ADDRESSES** section. Once submitted, comments cannot be edited or removed from the docket. EPA may publish any comment received to its public docket. Do not submit

electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (i.e., on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>.

Request for Comment. In the Renewables Enhancement and Growth Support (REGS) Rule (81 FR 80828, November 16, 2016), EPA proposed to codify a determination that basic information related to EPA actions on petitions for RFS small refinery and small refiner exemptions may not be claimed as CBI.¹ Specifically, the proposed regulations would specify that with respect to each decision on a small refinery/refiner exemption request, we would release to the public the petitioner's name, the name and location of the facility for which relief was requested, the general nature of the relief requested, the time period for which relief was requested, and the extent to which EPA granted or denied the requested relief. EPA provided its rationale for such a determination in Section VIII.O of the proposed REGS Rule preamble. EPA has decided to seek additional comment on this proposed determination and is reopening the public comment period

¹ See 81 FR 80909–80910 (November 16, 2016).

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on this matter through [INSERT DATE 15 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]. EPA is not seeking comment on any other aspects of the proposed REGS Rule at this time, and any comments received on topics other than the proposed CBI determination will be deemed beyond-the-scope.

Dated:

Benjamin Hengst,

Acting Director, Office of Transportation and Air Quality.