

(g) *Label declaration.* Each of the ingredients used in the food shall be declared on the label as required by the applicable sections of parts 101 and 130 of this chapter.

**§ 131.203 [Removed]**

3. Remove § 131.203.

**§ 131.206 [Removed]**

4. Remove § 131.206.

Dated: January 9, 2009.

**Leslye M. Fraser,**

*Director, Office of Regulations and Policy,  
Center for Food Safety and Applied Nutrition.*

[FR Doc. E9-736 Filed 1-12-09; 4:15 pm]

**BILLING CODE 4160-01-S**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 51 and 52

[EPA-HQ-OAR-2003-0064, FRL-8763-1]

**RIN 2060-AL75**

### Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Debottlenecking

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

**ACTION:** Withdrawal of proposed rule.

**SUMMARY:** The EPA is withdrawing the proposed rule for “debottlenecking” published in the **Federal Register** on September 14, 2006. Debottlenecking is a concept used in the EPA’s New Source Review (NSR) program and refers to how emissions from units upstream and downstream from the unit(s) undergoing a physical or operational change are included in the calculation of an emissions increase for the project. The intent of the September 14, 2006 proposal was to clarify how to consider emissions increases and decreases when determining major NSR applicability for sources that undergo a modification(s). Two other NSR elements included in that proposal—aggregation and project netting—are discussed in a separate document published in the “Rules” section of this **Federal Register**.

The decision to withdraw the rule proposal for debottlenecking is due to a variety of concerns raised by commenters on the viability of each of the proposed options. Regarding our preferred option, legal causation, we proposed to apply a “but for” legal cause test to account for debottlenecked emissions. However, limiting its application to only Prevention of Significant Deterioration and NSR permits, as several commenters suggested, would have severely

narrowed its utility and required devising another regulatory strategy for nonqualifying permits. With respect to the other two proposed options, we had difficulty in finding workable solutions to some of the implementation issues raised by commenters. In light of the complexities we encountered with the proposed options, we have decided to withdraw the proposed rule for debottlenecking.

**DATES:** On January 15, 2009, the EPA hereby withdraws the proposed rule for NSR Debottlenecking published at 71 FR 54235.

**FOR FURTHER INFORMATION CONTACT:** Mr. David Svendsgaard, Air Quality Policy Division, Office of Air Quality Planning and Standards (C504-03), Environmental Protection Agency, Research Triangle Park, NC 27711, telephone number: (919) 541-2380; fax number: (919) 541-5509, e-mail address: [svendsgaard.dave@epa.gov](mailto:svendsgaard.dave@epa.gov).

Dated: January 12, 2009.

**Stephen L. Johnson,**

*Administrator.*

[FR Doc. E9-816 Filed 1-14-09; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R06-OAR-2006-0357; FRL-8761-5]

### Approval and Promulgation of Air Quality Implementation Plans; Texas; Approval of the Section 110(a)(1) Maintenance Plan for the 1997 8-Hour Ozone Standard for El Paso County

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve a revision to the Texas State Implementation Plan (SIP). The revision consists of a maintenance plan for El Paso County developed to ensure continued attainment of the 8-hour ozone National Ambient Air Quality Standard (NAAQS) for 10 years after the effective designation date of June 15, 2004. The Maintenance Plan meets the requirements of Section 110(a)(1) of the Federal Clean Air Act (CAA), EPA’s rules, and is consistent with EPA’s guidance.

**DATES:** Written comments should be received on or before February 17, 2009.

**ADDRESSES:** Please see the related direct final rule, which is located in the “Rules and Regulations” section of this **Federal Register**, for detailed instructions on how to submit comments.

### FOR FURTHER INFORMATION CONTACT:

Jeffrey Riley, Air Planning Section (6PD-L), Environmental Protection Agency, Region 6, 1445 Ross Avenue, Suite 700, Dallas, Texas 75202-2733, telephone 214-665-8542; fax number 214-665-7263; e-mail address [riley.jeffrey@epa.gov](mailto:riley.jeffrey@epa.gov).

### SUPPLEMENTARY INFORMATION:

#### I. Why Is EPA Issuing This Proposed Rule?

This document proposes to take action on SIP revisions pertaining to the El Paso area. We have published a direct final rule approving the State’s SIP revisions in the “Rules and Regulations” section of this **Federal Register** because we view this as a noncontroversial action and anticipate no adverse comment. We have explained our reasons for this action in the preamble to the direct final rule.

If we receive no adverse comment, we will not take further action on this proposed rule. If we receive adverse comment, we will withdraw the direct final rule and it will not take effect. We would address all public comments in any subsequent final rule based upon this proposed rule.

We do not intend to institute a second comment period on this action. Any parties interested in commenting must do so at this time. For further information, please see the information provided in the **ADDRESSES** section of this document.

Dated: December 31, 2008.

**Richard E. Greene,**

*Regional Administrator, Region 6.*

[FR Doc. E9-707 Filed 1-14-09; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R06-OAR-2007-1153; FRL-8762-3]

### Approval and Promulgation of Air Quality Implementation Plans; Arkansas; Emissions Inventory for the Crittenden County Ozone Nonattainment Area; Emissions Statements

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

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing to approve a revision to the Arkansas State Implementation Plan (SIP) to meet the Emissions Inventory and Emissions Statements requirements of the Clean