

**SUPPLEMENTARY INFORMATION:** Due to an adverse comment, EPA is withdrawing the direct final rule to approve a SIP revision submitted by the State of Iowa pertaining to an amendment to the Administrative Consent Order, Grain Processing Corporation, Muscatine, Iowa. In the direct final rule published in the **Federal Register** on August 25, 2017, (82 FR 40491), we stated that if we received adverse comment by September 25, 2017, the rule would be withdrawn and not take effect. EPA received an adverse comment. We will address those comments in a proposed rulemaking.

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Intergovernmental relations, Incorporation by reference, Reporting and recordkeeping requirements.

Dated: September 27, 2017.

**Cathy Stepp,**

*Acting Regional Administrator, Region 7.*

#### PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

■ Accordingly, the amendment to 40 CFR 52.820 published in the **Federal Register** on August 25, 2017 (82 FR 40491) on page 40493 is withdrawn effective October 12, 2017.

[FR Doc. 2017-21929 Filed 10-11-17; 8:45 am]

**BILLING CODE 6560-50-P**

#### ENVIRONMENTAL PROTECTION AGENCY

##### 40 CFR Part 52

[EPA-R04-OAR-2017-0174; FRL-9969-25—Region 4]

#### Air Plan Approval: Alabama; Transportation Conformity

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

**ACTION:** Withdrawal of direct final rule.

**SUMMARY:** Due to the receipt of an adverse comment, the Environmental Protection Agency (EPA) is withdrawing the August 17, 2017, direct final rule that approves an Alabama state implementation plan (SIP) revision related to transportation conformity requirements. EPA will address the comment in a subsequent final action based upon the proposed rulemaking action, also published on August 17, 2017. EPA will not institute a second comment period on this action.

**DATES:** The direct final rule published at 82 FR 30935, on August 17, 2017, is withdrawn effective October 12, 2017.

#### FOR FURTHER INFORMATION CONTACT:

Kelly Sheckler, Air Regulatory Management Section, Air Planning and Implementation Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303-8960. The telephone number is (404) 562-9222. Ms. Sheckler can also be reached via electronic mail at [sheckler.kelly@epa.gov](mailto:sheckler.kelly@epa.gov).

**SUPPLEMENTARY INFORMATION:** On August 17, 2017 (82 FR 39035), EPA published a direct final rule approving a SIP revision submitted by the State of Alabama, through the Alabama Department of Environmental Management. EPA took a direct final action to approve the portions of the May 8, 2013, submission that removes specific provisions of Alabama Administrative Code section 335-3-17-.01, “*Transportation Conformity*,” from the SIP that are no longer required.

In the direct final rule, EPA explained that the Agency was publishing the rule without prior proposal because the Agency viewed the submittal as a non-controversial SIP amendment and anticipated no adverse comments. Further, EPA explained that the Agency was publishing a separate document in the proposed rules section of the **Federal Register** to serve as the proposal to approve the SIP revision should an adverse comment be filed. EPA also noted that the rule would be effective generally 30 days after the close of the public comment period, without further notice unless the Agency received adverse comment by the close of the public comment period. EPA explained that if the Agency received such comments, then EPA would publish a document withdrawing the final rule and informing the public that the rule would not take effect. It was also explained that all public comments received would then be addressed in a subsequent final rule based on the proposed rule, and that EPA would not institute a second comment period on this action.

EPA received one adverse comment from a single Commenter on the aforementioned rule. As a result of the comment received, EPA is withdrawing the direct final rule approving the aforementioned changes to the Alabama SIPs. EPA will address the comment in a separate final action based on the proposed action also published on August 17, 2017 (82 FR 39078). EPA

will not open a second comment period for this action.

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Particulate matter, Reporting and recordkeeping requirements.

Dated: September 29, 2017.

**Onis “Trey” Glen, III**

*Regional Administrator, Region 4.*

#### PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

■ Accordingly, the amendment to 40 CFR 52.50(c) published on August 17, 2017 (82 FR 39035), is withdrawn effective October 12, 2017.

[FR Doc. 2017-21931 Filed 10-11-17; 8:45 am]

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#### ENVIRONMENTAL PROTECTION AGENCY

##### 40 CFR Part 52

[EPA-R04-OAR-2017-0371; FRL-9969-22—Region 4]

#### Air Plan Approval; Alabama: PSD Replacement Units

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

**ACTION:** Withdrawal of direct final rule.

**SUMMARY:** Due to the receipt of adverse comments, the Environmental Protection Agency (EPA) is withdrawing the August 24, 2017, direct final rule that approves an Alabama state implementation plan (SIP) revision related to the Prevention of Significant Deterioration (PSD) permitting regulations. EPA will address the comments in a subsequent final action based upon the proposed rulemaking action, also published on August 24, 2017. EPA will not institute a second comment period on this action.

**DATES:** The direct final rule published at 82 FR 40072, on August 24, 2017, is withdrawn, effective October 12, 2017.

#### FOR FURTHER INFORMATION CONTACT:

Andres Febres, Air Regulatory Management Section, Air Planning and Implementation Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303-8960. The telephone number is (404) 562-8966. Ms. Sheckler can also be reached via electronic mail at [febres-martinez.andres@epa.gov](mailto:febres-martinez.andres@epa.gov).

**SUPPLEMENTARY INFORMATION:** On August 24, 2017 (82 FR 40072), EPA published a direct final rule approving a SIP revision submitted by the State of Alabama, through the Alabama Department of Environmental Management (ADEM). EPA took a direct final action to approve the portions of the May 7, 2012, submission that made changes to ADEM Administrative Code Rule 335-3-14-.04—"Air Permits Authorizing Construction in Clean Air Areas [Prevention of Significant Deterioration Permitting (PSD)]." In particular, the revision adds a definition of "replacement unit" and provides that a replacement unit is a type of existing unit under the definition of "emissions unit," consistent with Federal regulations.

In the direct final rule, EPA explained that the Agency was publishing the rule without prior proposal because the Agency viewed the submittal as a non-controversial SIP amendment and anticipated no adverse comments. Further, EPA explained that the Agency was publishing a separate document in the proposed rules section of the **Federal Register** to serve as the proposal to approve the SIP revision should an adverse comment be filed. EPA also noted that the rule would be effective generally 30 days after the close of the public comment period, without further notice unless the Agency received adverse comment by the close of the public comment period. EPA explained that if the Agency received such comments, then EPA would publish a document withdrawing the direct final rule and informing the public that the rule would not take effect. It was also explained that all public comments received would then be addressed in a subsequent final rule based on the proposed rule, and that EPA would not institute a second comment period on this action.

EPA received two adverse comments on the aforementioned rule. As a result of these comments received, EPA is withdrawing the direct final rule approving the aforementioned changes to the Alabama SIPs. EPA will address the comments in a separate final action based on the proposed action also published on August 24, 2017 (82 FR 40085). EPA will not open a second comment period for this action.

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping

requirements, Sulfur oxides, Volatile organic compounds.

Dated: September 29, 2017.

**Onis "Trey" Glenn, III,**  
*Regional Administrator, Region 4.*

■ Accordingly, the amendments to 40 CFR 52.50(c) published on August 24, 2017 (82 FR 40072), which was to become effective October 23, 2017, is withdrawn.

[FR Doc. 2017-21940 Filed 10-11-17; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 62

[EPA-R03-OAR-2017-0453; FRL-9969-45—Region 3]

#### Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants; City of Philadelphia; Control of Emissions From Existing Hospital/Medical/ Infectious Waste Incinerator Units

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

**ACTION:** Direct final rule.

**SUMMARY:** EPA is taking direct final action to notify the public that it has received a negative declaration for hospital/medical/infectious waste incinerator (HMIWI) units within the City of Philadelphia. This negative declaration certifies that HMIWI units subject to the requirements of sections 111(d) and 129 of the Clean Air Act (CAA) do not exist within the jurisdictional boundaries of the Philadelphia Air Management Service (AMS). EPA is accepting the negative declaration in accordance with the requirements of the Clean Air Act (CAA).

**DATES:** This rule is effective on December 11, 2017 without further notice, unless EPA receives adverse written comment by November 13, 2017. If EPA receives such comments, it will publish a timely withdrawal of the direct final rule in the **Federal Register** and inform the public that the rule will not take effect.

**ADDRESSES:** Submit your comments, identified by Docket ID Number EPA-R03-OAR-2017-0453 at <http://www.regulations.gov>, or via email to [aquino.marcos@epa.gov](mailto:aquino.marcos@epa.gov). For comments submitted at [Regulations.gov](http://www.regulations.gov), follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from [Regulations.gov](http://www.regulations.gov). For either manner of submission, 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, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <http://www2.epa.gov/dockets/commenting-epa-dockets>.

**FOR FURTHER INFORMATION CONTACT:** Mike Gordon, (215) 814-2039, or by email at [gordon.mike@epa.gov](mailto:gordon.mike@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

Sections 111(d) and 129 of the CAA require states to submit plans to control certain pollutants (designated pollutants) at existing solid waste combustor facilities (designated facilities) whenever standards of performance have been established under section 111(b) for new sources of the same type, and EPA has established emission guidelines (EG) for such existing sources. A designated pollutant is any pollutant for which no air quality criteria have been issued, and which is not included on a list published under section 108(a) or section 112(b)(1)(A) of the CAA, but emissions of which are subject to a standard of performance for new stationary sources.

On October 6, 2009 (74 FR 51368), EPA promulgated HMIWI unit new source performance standards, 40 CFR part 60, subpart Ec, and emission guidelines, subpart Ce. These regulations were amended in an April 4, 2011 final rule (76 FR 18407).

The designated facilities to which the EG apply are existing HMIWI units that: (1) Commenced construction on or before June 20, 1996, or for which modification was commenced on or before March 16, 1998; or (2) commenced construction after June 20, 1996 but no later than December 1, 2008, or for which modification commenced after March 16, 1998 but no later than April 6, 2010, with limited