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Issued in Renton, Washington, on September 27, 2012.

**Ali Bahrami,**

*Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 2012-24523 Filed 10-9-12; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 400

[Docket No. FAA-2012-0318; Notice No. 400-4]

RIN 2120-AK16

#### Voluntary Licensing of Amateur Rocket Operations; Correction; Delay of Effective Date

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Direct final rule; correction; delay of effective date.

**SUMMARY:** This action delays the effective date for a direct final rule that was published on August 22, 2012. In that rule, the FAA amends the scope of its regulations to allow launch operators that conduct certain amateur rocket launches an opportunity to voluntarily apply for a commercial space transportation license or experimental permit. The FAA has received several adverse comments to this rule, and delays the effective date to allow time for adequate analysis and a final determination. This document also corrects the regulatory identification number on the original publication.

**DATES:** The effective date for the direct final rule published on August 22, 2012, was scheduled to be October 9, 2012, and is delayed until November 8, 2012.

**FOR FURTHER INFORMATION CONTACT:** For technical questions, contact Shirley McBride, Senior Transportation Industry Analyst, Regulations and Analysis Division, AST-300, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone (202) 267-7470; facsimile (202) 267-5463; email [Shirley.McBride@faa.gov](mailto:Shirley.McBride@faa.gov). For legal questions, contact Laura Montgomery, Senior Attorney for

Commercial Space Transportation, Office of the Chief Counsel, Regulations Division, AGC-200, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone (202) 267-3150; facsimile (202) 267-7971, email [laura.montgomery@faa.gov](mailto:laura.montgomery@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

On August 22, 2012, the FAA published the direct final rule entitled, "Voluntary Licensing of Amateur Rocket Operations" (77 FR 50584). In this rule, the FAA is amending the scope of its regulations to allow launch operators that conduct certain amateur rocket launches an opportunity to voluntarily apply for a commercial space transportation license or experimental permit. This rule received 4 adverse comments prior to comment period closing on September 21, 2012. The rule contained the effective date of October 9, 2012.

##### Correction

The original publication contained an incorrect regulatory identification number (RIN). This document contains the correct RIN 2120-AK16.

##### Reason for Delay of Effective Date

A direct final rule is based on the Administrative Procedure Act's good cause exception to prior notice and comment procedures, 5 U.S.C. 553. This exception is used where we have found that prior public comment procedure may be unnecessary because adverse comments are not expected. In determining whether an adverse comment is significant enough to end a rulemaking, we consider whether the comment would warrant a substantive response in a notice of proposed rulemaking (NPRM).

The effective date of a direct final rule is normally a minimum of 30 calendar days after the end of the comment period. This rule published with an effective date of 15 calendar days after the end of the comment period to accommodate NASA's deadline in funding licensed launches. However, we received 4 substantive comments that require further analysis and determination. The FAA needs additional time to address the comments received and decide on the appropriate action.

##### Conclusion

Accordingly, the effective date for Notice No. 400-4 is delayed until November 8, 2012.

Issued in Washington, DC, October 4, 2012.

**Lirio Liu,**

*Director, Office of Rulemaking.*

[FR Doc. 2012-25021 Filed 10-9-12; 8:45 am]

**BILLING CODE 4910-13-P**

## CONSUMER PRODUCT SAFETY COMMISSION

### 16 CFR Part 1101

#### Information Disclosure Under Section 6(b) of the Consumer Product Safety Act

##### CFR Correction

■ In Title 16 of the Code of Federal Regulations, Part 1000 to End, revised as of January 1, 2012, on page 147, in § 1101.25 (a) and (b), the words "5 working" are corrected to read "5".

[FR Doc. 2012-25016 Filed 10-9-12; 8:45 am]

**BILLING CODE 1505-01-D**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R03-OAR-2010-0140; FRL-9735-6]

#### Approval and Promulgation of Air Quality Implementation Plans; Maryland; The 2002 Base Year Emissions Inventory for the Washington DC-MD-VA Nonattainment Area for the 1997 Fine Particulate Matter National Ambient Air Quality Standard

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

**ACTION:** Final rule.

**SUMMARY:** EPA is approving the fine particulate matter (PM<sub>2.5</sub>) 2002 base year emissions inventory portion of the Maryland State Implementation Plan (SIP) revision submitted by the State of Maryland, through the Maryland Department of the Environment (MDE), on April 3, 2008. The emissions inventory is part of the April 3, 2008 SIP revision that was submitted to meet nonattainment requirements related to Maryland's portion of the Washington DC-MD-VA nonattainment area (hereafter referred to as Maryland Area or Area) for the 1997 PM<sub>2.5</sub> National Ambient Air Quality Standard (NAAQS) SIP. EPA is approving the 2002 base year PM<sub>2.5</sub> emissions inventory in accordance with the requirements of the Clean Air Act (CAA).

**DATES:** This final rule is effective on November 9, 2012.

**ADDRESSES:** EPA has established a docket for this action under Docket ID Number EPA-R03-OAR-2010-0140. All documents in the docket are listed in the [www.regulations.gov](http://www.regulations.gov) Web site. Although listed in the electronic docket, some information is not publicly available, i.e., 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 either electronically through [www.regulations.gov](http://www.regulations.gov) or in hard copy for public inspection during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the State submittal are available at the Maryland Department of the Environment, 1800 Washington Boulevard, Suite 705, Baltimore, Maryland 21230.

**FOR FURTHER INFORMATION CONTACT:** Asrah Khadr, (215) 814-2071, or by email at [khadr.asrah@epa.gov](mailto:khadr.asrah@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

Throughout this document, whenever “we,” “us,” or “our” is used, we mean EPA. On July 20, 2012 (77 FR 42686), EPA published a notice of proposed rulemaking (NPR) for the State of Maryland. The NPR proposed approval of the 2002 base year emissions inventory portion of the Maryland SIP revision. The formal SIP revision (#08-06) was submitted by the State of Maryland on April 3, 2008.

**II. Summary of SIP Revision**

The 2002 base year emissions inventory submitted by MDE on April 3, 2008 includes emissions estimates that cover the general source categories of point sources, non-road mobile sources, area sources, on-road mobile sources, and biogenic sources. The pollutants that comprise the inventory are nitrogen oxides (NO<sub>x</sub>), volatile organic compounds (VOCs), PM<sub>2.5</sub>, coarse particles (PM<sub>10</sub>), ammonia (NH<sub>3</sub>), and sulfur dioxide (SO<sub>2</sub>). EPA has reviewed the results, procedures and methodologies for the base year emissions inventory submitted by MDE. The year 2002 was selected by MDE as the base year for the emissions inventory per 40 CFR 51.1008(b). A discussion of the emissions inventory development as well as the emissions inventory can be found in Appendix B of the April 3, 2008 SIP submittal and

in the NPR. Specific requirements of the base year inventory and the rationale for EPA’s action are explained in the NPR and will not be restated here. No public comments were received on the NPR.

**III. Final Action**

EPA is approving the 2002 base year PM<sub>2.5</sub> emissions inventory as a revision to the Maryland SIP.

**IV. Statutory and Executive Order Reviews**

*A. General Requirements*

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA’s role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a “significant regulatory action” subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4);
- does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and
- does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using

practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the state, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

*B. Submission to Congress and the Comptroller General*

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

*C. Petitions for Judicial Review*

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by December 10, 2012. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action pertaining to the PM<sub>2.5</sub> 2002 base year emissions inventory portion of the Maryland SIP may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

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

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Nitrogen dioxide, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: September 13, 2012.

**W.C. Early,**

*Acting, Regional Administrator, Region III.*

40 CFR part 52 is amended as follows:

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

■ 1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

**Subpart V—Maryland**

■ 2. In § 52.1070, the table in paragraph (e) is amended by adding at the end of the table an entry for “2002 Base Year Emissions Inventory for the 1997 fine

particulate matter (PM<sub>2.5</sub>) standard” to read as follows:

**§ 52.1070 Identification of plan.**

\* \* \* \* \*

(e) EPA-approved nonregulatory and quasi-regulatory material.

Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
2002 Base Year Emissions Inventory for the 1997 fine particulate matter (PM <sub>2.5</sub> ) standard.	Inven-Maryland portion of the Washington DC–MD–VA 1997 PM <sub>2.5</sub> non-attainment area.	4/3/08	10/10/12 [Insert page number where the document begins].	§ 52.1075(l)

■ 3. In § 52.1075, paragraph (l) is added to read as follows:

**§ 52.1075 Base year emissions inventory.**

(l) EPA approves as a revision to the Maryland State Implementation Plan the 2002 base year emissions inventory for the Maryland portion of the Washington DC–MD–VA 1997 fine particulate matter (PM<sub>2.5</sub>) nonattainment area submitted by the Maryland Department of Environment on April 3, 2008. The 2002 base year emissions inventory includes emissions estimates that cover the general source categories of point sources, non-road mobile sources, area sources, on-road mobile sources, and biogenic sources. The pollutants that comprise the inventory are nitrogen oxides (NO<sub>x</sub>), volatile organic compounds (VOCs), PM<sub>2.5</sub>, coarse particles (PM<sub>10</sub>), ammonia (NH<sub>3</sub>), and sulfur dioxide (SO<sub>2</sub>).

[FR Doc. 2012–24645 Filed 10–9–12; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 180**

[EPA–HQ–OPP–2011–0949; FRL–9361–7]

**Alkyl Amines Polyalkoxylates; Exemption From the Requirement of a Tolerance**

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

**ACTION:** Final rule.

**SUMMARY:** This regulation amends the exemption from the requirement of a tolerance for residues alkyl amines polyalkoxylates under 40 CFR 180.920 and 40 CFR 180.930 to include the additional Chemical Abstract Service Registry Number (CAS Reg. No.) 1266162–49–5. BASF Corporation submitted a petition to EPA under the Federal Food, Drug, and Cosmetic Act

(FFDCA), requesting an amendment to an existing requirement of a tolerance.

**DATES:** This regulation is effective October 10, 2012. Objections and requests for hearings must be received on or before December 10, 2012, and must be filed in accordance with the instructions provided in 40 CFR part 178 (see also Unit I.C. of the **SUPPLEMENTARY INFORMATION**).

**ADDRESSES:** The docket for this action, identified by docket identification (ID) number EPA–HQ–OPP–2011–0949 is available at <http://www.regulations.gov> or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), EPA West Bldg., Rm. 3334, 1301 Constitution Ave. NW., Washington, DC 20460–0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744, and the telephone number for the OPP Docket is (703) 305–5805. Please review the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Fertich, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001; telephone number: (703) 347–8560; email address: [fertich.elizabeth@epa.gov](mailto:fertich.elizabeth@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. General Information**

*A. Does this action apply to me?*

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers

determine whether this document applies to them. Potentially affected entities may include:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

*B. How can I get electronic access to other related information?*

You may access a frequently updated electronic version of 40 CFR part 180 through the Government Printing Office’s e-CFR site at [http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?&c=ecfr&tpl=/ecfrbrowse/Title40/40tab\\_02.tpl](http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?&c=ecfr&tpl=/ecfrbrowse/Title40/40tab_02.tpl).

*C. How can I file an objection or hearing request?*

Under FFDCA section 408(g), 21 U.S.C. 346a, any person may file an objection to any aspect of this regulation and may also request a hearing on those objections. You must file your objection or request a hearing on this regulation in accordance with the instructions provided in 40 CFR part 178. To ensure proper receipt by EPA, you must identify docket ID number EPA–HQ–OPP–2011–0949 in the subject line on the first page of your submission. All objections and requests for a hearing must be in writing, and must be received by the Hearing Clerk on or before December 10, 2012. Addresses for mail and hand delivery of objections and hearing requests are provided in 40 CFR 178.25(b).

In addition to filing an objection or hearing request with the Hearing Clerk as described in 40 CFR part 178, please submit a copy of the filing (excluding any CBI) for inclusion in the public docket. Information not marked confidential pursuant to 40 CFR part 2 may be disclosed publicly by EPA without prior notice. Submit the non-