

governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

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).

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 March 13, 2017. 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 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, Incorporation by reference, Particulate matter, Reporting and recordkeeping requirements.

Dated: December 28, 2016.

Ron Curry,
Regional Administrator, Region 6.

■ 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 SS—Texas

■ 2. In § 52.2270(c) the table titled “EPA Approved Regulations in the Texas SIP” is amended by removing the entry for “Rule 105.2” under Chapter 111, Subchapter A, Division 5 and revising the entries for sections 111.203, 111.209 and 111.211.

The amendments read as follows:

§ 52.2270 Identification of plan

* * * * *
(c) * * *

EPA APPROVED REGULATIONS IN THE TEXAS SIP

State citation	Title/subject	State approval/ submittal date	EPA approval date	Explanation
*	*	*	*	*
Subchapter B—Outdoor Burning				
*	*	*	*	*
Section 111.203	Definitions	6/28/2006	1/11/2017, [Insert Federal Register citation].	
*	*	*	*	*
Section 111.209	Exception for Disposal Fires	6/28/2006	1/11/2017, [Insert Federal Register citation].	
Section 111.211	Exception for Prescribed Burn	1/15/2014	1/11/2017, [Insert Federal Register citation].	
*	*	*	*	*

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 81

[EPA-R06-OAR-2016-0275; FRL-9957-57-Region 6]

Determination of Nonattainment and Reclassification of the Houston-Galveston-Brazoria 2008 8-Hour Ozone Nonattainment Area; Texas; Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Correcting amendment.

SUMMARY: EPA issued a final rule on December 14, 2016, (81 FR 90207), that determined that the Houston-Galveston-Brazoria, Texas nonattainment area (HGB area) failed to attain the 2008 8-hour ozone national ambient air quality standard (NAAQS) by the applicable attainment deadline of July 20, 2016, and thus was classified by operation of law as “Moderate”. In that action, EPA also determined January 1, 2017 as the deadline by which Texas must submit to the EPA the State Implementation Plan (SIP) revisions that meet the Clean Air Act (CAA) statutory and regulatory requirements that apply to 2008 ozone NAAQS nonattainment areas

reclassified as Moderate. The language in the December 14, 2016 **Federal Register** amended the table in 40 CFR 81.344 (Subpart C-Section 107 Attainment Status Designations) titled “Texas—2008 8-Hour Ozone NAAQS (Primary and secondary)”. The amendatory language failed to update the table for the classification date for HGB nonattainment area to 12/14/2016. This document corrects the listed classification date in the December 14, 2016 final rule document.

DATES: This final rule correction is effective on January 11, 2017.

FOR FURTHER INFORMATION CONTACT: Ms. Nevine Salem, (214) 665-7222, *salem.nevine@epa.gov*.

SUPPLEMENTARY INFORMATION: EPA issued a final rule on December 14, 2016, (81 FR 90207) (EPA-R06-OAR-2016-0275; FRL-9956-08-Region 6), that reclassified the HGB nonattainment area from Marginal to Moderate for the 2008 8-hour Ozone NAAQS standards. In that document, EPA incorrectly listed the classification date for the HGB ozone nonattainment area in § 81.344, the table titled “Texas—2008 8-Hour Ozone NAAQS (Primary and secondary)” to be 1/13/17. Instead the document should have the classification date in the table as 12/14/2016. This document corrects that mistake.

List of Subjects in 40 CFR Part 81

Environmental protection, Air pollution control.

Dated: January 3, 2017.

Ron Curry,

Regional Administrator, Region 6.

40 CFR part 81 is corrected as follows:

PART 81—DESIGNATION OF AREAS FOR AIR QUALITY PLANNING PURPOSES

■ 1. The authority citation for part 81 continues to read as follows:

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

Subpart C—Section 107 Attainment Status Designations

■ 2. In § 81.344, the table titled “Texas—2008 8-Hour Ozone NAAQS (Primary and secondary)” is amended by revising the entry for “Houston-Galveston-Brazoria, TX” to read as follows:

§ 81.344 Texas.

* * * * *

TEXAS—2008 8-HOUR OZONE NAAQS (PRIMARY AND SECONDARY)²

Designated area	Designation		Classification	
	Date ¹	Type	Date ¹	Type
* * * * *				
Houston-Galveston-Brazoria, TX: ²		Nonattainment	12/14/2016	Moderate.
Brazoria County.				
Chambers County.				
Fort Bend County.				
Galveston County.				
Harris County.				
Liberty County.				
Montgomery County.				
Waller County.				
* * * * *				

¹ This date is July 20, 2012, unless otherwise noted.

² Excludes Indian country located in each area, unless otherwise noted.

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ENVIRONMENTAL PROTECTION AGENCY

DEPARTMENT OF DEFENSE

40 CFR Part 1700

[EPA-HQ-OW-2013-0469; FRL-9957-85-OW]

RIN 2040-AD39

Uniform National Discharge Standards for Vessels of the Armed Forces—Phase II Batch One

AGENCY: Environmental Protection Agency and Department of Defense.

ACTION: Final rule.

SUMMARY: The U.S. Environmental Protection Agency (EPA) and the U.S. Department of Defense (DoD) are promulgating discharge performance standards for 11 discharges incidental to the normal operation of a vessel of the Armed Forces into the navigable waters

of the United States, the territorial seas, and the contiguous zone. When implemented, the discharge performance standards will reduce the adverse environmental impacts associated with the vessel discharges, stimulate the development of improved vessel pollution control devices, and advance the development of environmentally sound vessels of the Armed Forces. The 11 discharges addressed by the final rule are the following: aqueous film-forming foam (AFFF), chain locker effluent, distillation and reverse osmosis brine, elevator pit effluent, gas turbine water wash, non-oily machinery wastewater, photographic laboratory drains, seawater cooling overboard discharge, seawater piping biofouling prevention, small boat engine wet exhaust, and welldeck discharges.

DATES: This final rule is effective on February 10, 2017.

ADDRESSES: The EPA has established a docket for this action under Docket No. EPA-HQ-OW-2013-0469. All documents in the docket are listed on the <http://regulations.gov> Web site. The

complete public record for this rulemaking, including responses to comments received during the rulemaking, can be found under Docket No. EPA-HQ-OW-2013-0469.

FOR FURTHER INFORMATION CONTACT: Katherine B. Weiler, Marine Pollution Control Branch (4504T), U.S. EPA, 1200 Pennsylvania Avenue NW., Washington, DC 20460; (202) 566-1280; weiler.katherine@epa.gov, or Mike Pletke, Chief of Naval Operations (N45), 2000 Navy Pentagon (Rm 2D253), Washington, DC 20350-2000; (703) 695-5184; mike.pletke@navy.mil.

SUPPLEMENTARY INFORMATION:

- I. General Information
 - A. Legal Authority for the Final Rule
 - B. Purpose of the Final Rule
 - C. What vessels are regulated by the final rule?
 - D. What is the geographic scope of the final rule?
 - E. Rulemaking Process
 - F. Summary of Public Outreach and Consultation With Federal Agencies, States, Territories, and Tribes
 - G. Supporting Documentation
- II. UNDS Performance Standards Development
 - A. Nature of the Discharge