

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 Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by July 22, 2013. 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. Parties with objections to this direct final rule are encouraged to file a comment in response to the parallel notice of proposed rulemaking for this action published in the proposed rules section of today’s **Federal Register**, rather than file an immediate petition for judicial review of this direct final rule, so that EPA can withdraw this direct final rule and address the comment in the proposed rulemaking. 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, Intergovernmental relations, Lead, Ozone, Particulate matter, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: April 12, 2013.

**Susan Hedman,**

*Regional Administrator, Region 5.*

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.*

■ 2. Section 52.720 is amended by adding paragraph (c)(195) to read as follows:

#### § 52.720 Identification of plan.

\* \* \* \* \*

(c) \* \* \*

(195) On June 20, 2012, Illinois submitted an amendment to its State Implementation Plan at 35 Illinois Administrative Code part 243, which updates National Ambient Air Quality Standards for ozone, lead, and particulate matter while correcting various errors in the plan.

(i) *Incorporation by reference.* Illinois Administrative Code; Title 35: Environmental Protection; Subtitle B: Air Pollution; Chapter I: Pollution Control Board; Subchapter I: Air Quality Standards And Episodes; Part 243: Air Quality Standards; Sections 243.101 Definitions, 243.104 Nondegradation, 243.107 Reference Conditions, 243.108 Incorporations by Reference, 243.120 PM<sub>10</sub> and PM<sub>2.5</sub>, 243.122 Sulfur Oxides (Sulfur Dioxide), 243.125 8-Hour Ozone, and 243.126 Lead; effective October 25, 2011.

[FR Doc. 2013–12203 Filed 5–22–13; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 17

[Docket Nos. FWS–R1–ES–2012–0017; FWS–R1–ES–2013–0012; 4500030113]

RIN 1018–AX72

RIN 1018–AZ54

#### Endangered and Threatened Wildlife and Plants; Threatened Status and Designation of Critical Habitat for *Eriogonum codium* (Umtanum Desert Buckwheat) and *Physaria douglasii* subsp. *tuplashensis* (White Bluffs Bladderpod)

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Final rules; delay of effective dates.

**SUMMARY:** This document temporarily delays for 6 months the effective date of two rules to conserve *Eriogonum codium* (Umtanum desert buckwheat) and *Physaria douglasii* subsp. *tuplashensis* (White Bluffs bladderpod). Both rules had an effective date of May 23, 2013. We are taking this action to allow time for us to accept and consider additional public comments on the rules.

**DATES:** The effective dates for the final rules published April 23, 2013, at 78 FR 23983 and 78 FR 24007, are delayed until November 22, 2013.

**ADDRESSES:** You may obtain copies of these rules and related materials at <http://www.regulations.gov> in Dockets

FWS–R1–ES–2012–0017 (for the listing rule) and FWS–R1–ES–2013–0012 (for the critical habitat rule).

**FOR FURTHER INFORMATION CONTACT:** Ken Berg, Manager, U.S. Fish and Wildlife Service, Washington Fish and Wildlife Office, 510 Desmond Drive, Suite 102, Lacey, Washington 98503–1263, by telephone (360) 753–9440, or by facsimile (360) 753–9405. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 800–877–8339.

**SUPPLEMENTARY INFORMATION:** Under the authority of the Endangered Species Act (Act) (16 U.S.C. 1531 *et seq.*), the U.S. Fish and Wildlife Service issued the following two rules on April 23, 2013: “Endangered and Threatened Wildlife and Plants; Threatened Status for *Eriogonum codium* (Umtanum Desert Buckwheat) and *Physaria douglasii* subsp. *tuplashensis* (White Bluffs Bladderpod)” (78 FR 23983) and “Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for *Eriogonum codium* (Umtanum Desert Buckwheat) and *Physaria douglasii* subsp. *tuplashensis* (White Bluffs Bladderpod)” (78 FR 24007). The listing final rule implements the Federal protections provided by the Act for these species. The critical habitat final rule conserves both species’ habitat under the Act. Both rules had an effective date of May 23, 2013.

We now delay for 6 months the effective date of the rules. The delay in effective date is necessary to allow us time to follow proper procedure in accordance with 16 U.S.C. 1533(b)(5). We are taking this action to allow time for us to accept and consider additional public comments on the rules. To the extent that 5 U.S.C. 553 applies to this action, this action is exempt from notice and comment because it constitutes a rule of procedure under 5 U.S.C. 553(b)(A).

Dated: May 20, 2013.

**Rachel Jacobsen,**

*Principal Deputy Assistant Secretary for Fish and Wildlife and Parks.*

[FR Doc. 2013–12380 Filed 5–22–13; 8:45 am]

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