§ 63.15 Duties of, and standards applicable to, non-VA community-based providers.

(b) Treatment plans, therapeutic/rehabilitative services, and case management. Individualized treatment plans are to be developed through a joint effort of the veteran, non-VA community-based provider staff, and VA clinical staff. Therapeutic and rehabilitative services, as well as case management and outreach services, must be provided by the non-VA community-based provider as described in the treatment plan. In some cases, VA may complement the non-VA community-based provider’s program with added treatment or other services, such as participation in VA outpatient programs or counseling. In addition to case management services, for example, to coordinate or address relevant issues related to a veteran’s homelessness and health as identified in the individual treatment plan, services provided by the non-VA community-based provider should generally include, as appropriate:

(1) Structured group activities such as group therapy, social skills training, self-help group meetings, or peer counseling.

(2) Professional counseling, including counseling on self-care skills, adaptive coping skills, and, as appropriate, vocational rehabilitation counseling, in collaboration with VA programs and community resources.

* * * * *


(4) Amend § 63.10 paragraph (a) to read as follows:

§ 63.10 Eligibility.

(a) Eligibility. In order to serve as the basis for a per diem payment through the HCHV program, a veteran served by the non-VA community-based provider must be:

(1) Enrolled in the VA health care system, or eligible for VA health care under 38 CFR 17.36 or 17.37; and

(2) Homeless.

* * * * *

(5) Revise § 63.11 paragraph (a) to read as follows:

(a) Who can apply. VA may award per diem contracts to non-VA community-based providers who provide temporary residential assistance homeless persons, including but not limited to persons with serious mental illness, and who can provide the specific services and meet the standards identified in § 63.15 and elsewhere in this part.

* * * * *

(6) Revise § 63.15 paragraph (b) to read as follows:

§ 63.15 Duties of, and standards applicable to, non-VA community-based providers.

(b) Treatment plans, therapeutic/rehabilitative services, and case management. Individualized treatment plans are to be developed through a joint effort of the veteran, non-VA community-based provider staff, and VA clinical staff. Therapeutic and rehabilitative services, as well as case management and outreach services, must be provided by the non-VA community-based provider as described in the treatment plan. In some cases, VA may complement the non-VA community-based provider’s program with added treatment or other services, such as participation in VA outpatient programs or counseling. In addition to case management services, for example, to coordinate or address relevant issues related to a veteran’s homelessness and health as identified in the individual treatment plan, services provided by the non-VA community-based provider should generally include, as appropriate:

(1) Structured group activities such as group therapy, social skills training, self-help group meetings, or peer counseling.

(2) Professional counseling, including counseling on self-care skills, adaptive coping skills, and, as appropriate, vocational rehabilitation counseling, in collaboration with VA programs and community resources.

* * * * *

[FR Doc. 2014–11046 Filed 5–14–14; 8:45 am]
I. What actions is the EPA proposing?

The EPA is proposing to determine, based on complete, quality-assured monitoring data, that the air quality in the New York-N. New Jersey-Long Island, NY-NJ-CT 1997 8-hour ozone nonattainment area (hereafter, the NY-NJ-CT area) is no longer attaining the 1997 8-hour ozone national ambient air quality standard (NAAQS or standard). Pursuant to the provisions of 40 CFR 51.918, EPA is therefore proposing to rescind the clean data determination (CDD) for this area which was published in the Federal Register on June 18, 2012 (77 FR 36163).

EPA notes that it has previously determined that the NY-NJ-CT area attained the 1997 8-hour ozone standard by its applicable attainment date, June 15, 2010. However, because EPA is proposing to determine that the area is no longer attaining the 1997 standard, EPA is proposing a State Implementation Plan (SIP) call pursuant to Clean Air Act (CAA) section 110(k)(5), to require the States of New York, New Jersey and Connecticut to submit a SIP demonstrating how the area will re-attain the 1997 8-hour ozone NAAQS as expeditiously as practicable.

EPA is proposing to issue this SIP call based on its proposed determination that certified data for 2010–2012, as well as data in EPA’s air quality data repository, the Air Quality System (AQS) for the most recent three-year period, 2011–2013, show that the area is currently no longer attaining the 1997 ozone standard. The EPA is proposing that the required SIPs will be due 18 months after the effective date of the final rule.

II. Background

On July 18, 1997 (62 FR 38856), the EPA promulgated a new, more protective standard for ozone based on 8-hour average concentrations (the “1997 8-hour ozone NAAQS”). The EPA designated and classified most areas of the country under the 8-hour ozone NAAQS in an April 30, 2004 final rule (69 FR 23858). The NY-NJ-CT 1997 8-hour ozone nonattainment area was designated nonattainment and classified as moderate with an attainment deadline of June 15, 2010. The NY-NJ-CT area includes Fairfield, New Haven, and Middlesex Counties in Connecticut; Bergen, Essex, Hudson, Hunterdon, Middlesex, Monmouth, Morris, Passaic, Somerset, Sussex, Union, and Warren Counties in New Jersey; and Bronx, Kings, Nassau, New York, Queens, Richmond, Rockland, Suffolk, and Westchester Counties in New York.

On April 30, 2004, EPA issued a final rule (69 FR 23951) entitled “Final Rule to Implement the 8-hour Ozone National Ambient Air Quality Standard—Phase 1,” referred to as the Phase 1 Rule. On November 29, 2005, EPA issued a final rule (70 FR 71612) entitled “Final Rule To Implement the 8-Hour Ozone National Ambient Air Quality Standard—Phase 2; Final Rule To Implement Certain Aspects of the 1990 Amendments Relating to New Source Review and Prevention of Significant Deterioration as They Apply in Carbon Monoxide, Particulate Matter and Ozone NAAQS; Final Rule for Reformulated Gasoline,” referred to as the Phase 2 Rule. The Phase 2 Rule incorporated the Clean Data Policy in 40 CFR 51.918. Upon EPA’s final determination that an area has attained the 1997 ozone NAAQS, the regulation operates to suspend the obligation to submit attainment-related planning SIP requirements. Affected SIP requirements include attainment demonstrations and associated reasonably available control measures, reasonable further progress plans, contingency measures, and other SIP requirements related to attainment of the 1997 8-hour ozone NAAQS. 40 CFR 51.918 established that these SIP requirements are suspended until such time as the area is redesignated to attainment, at which time the requirements no longer apply; or until EPA determines that the area has violated the 1997 8-hour ozone NAAQS.

On June 18, 2012 (77 FR 36163), the EPA issued a CDD for the NY-NJ-CT area, based on complete, quality-assured and certified ozone monitoring data for 2006–2010. Quality assured data available in the AQS for 2011 indicated that the area continued to attain the 1997 8-hour ozone NAAQS. Pursuant to the Clean Data Policy established by 40 CFR 51.918 of the Phase 2 Rule for the 1997 8-hour ozone NAAQS, the requirements for the states to submit attainment demonstrations and associated reasonably available control measures (RACM), reasonable further progress plans (RFP), contingency measures, and other SIP revisions related to attainment of the standard were suspended.

Although, pursuant to 40 CFR 51.918, EPA’s CDD suspended any outstanding obligations to submit attainment planning SIPs, the States of New York, New Jersey and Connecticut had already submitted to EPA their attainment demonstrations, RACM, RFP plans, and

SUPPLEMENTARY INFORMATION:

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EPA wishes to make clear that this proposed rulemaking would in no way alter or affect the determination contained in its June 18, 2012 notice (77 FR 36163), pursuant to CAA section 181(b)(2), that the NY-NJ-CT area attained the 1997 8-hour ozone standard by its applicable attainment date of June, 2010. Such a determination remains undisturbed by EPA’s evaluation of subsequent air quality.

As noted above, separately and in addition to its CDD for the NY-NJ-CT area, pursuant to section 181(b)(2), EPA determined that the area attained the 1997 8-hour ozone standard by its applicable attainment deadline, June 15, 2010. This determination that the area attained by the applicable deadline was based on complete, quality-assured and certified ozone monitoring data for 2007–2009.

III. Current Monitoring Data

Complete, quality-assured and certified ozone monitoring data for 2010–2012, and data available in the AQS for 2013, indicate that the NY-NJ-CT area no longer attains the 1997 8-hour ozone NAAQS. EPA has reviewed the 2012 ozone design values, consisting of 2010–2012 data, and 2013 ozone design values, based on 2011–2013 ambient air quality data in AQS (in accordance with 40 CFR 50.9, 40 CFR part 50 appendix I, and EPA policy and guidance, as well as data processing, data rounding and data completeness requirements) for the NY-NJ-CT area. EPA, therefore proposes to determine that the area is no longer in attainment of the 1997 8-hour ozone NAAQS. Note that for purposes of the 1997 8-hour ozone NAAQS, ozone design values are calculated based on the 3-year average of the annual 4th maximum 8-hour ozone concentration. An area is considered in nonattainment when the 3-year design value is equal to or greater than 0.085 parts per million (ppm). For the 2010–2012 period, the 8-hour ozone design value for the NY-NJ-CT area was 0.087 ppm. Data in AQS for the 2011–2013 period further indicate continued nonattainment. Table 1 below shows the 2010–2012 design values, as well as the 2011–2013 design values, for all of the ozone monitors in the NY-NJ-CT area.

IV. Why is EPA proposing SIP calls to the States in the NY-NJ-CT Area?

Although EPA recognizes that the NY-NJ-CT area previously attained the 1997 8-hour ozone NAAQS by its original attainment date, EPA’s review of subsequent data has indicated that the area no longer continues to attain the 1997 8-hour ozone standard. Section 110(k)(5) of the CAA authorizes EPA to find that a SIP is substantially inadequate to attain or maintain a NAAQS, and to require (“call for”) the state to submit, within a specified period, a SIP revision to correct the inadequacy. This CAA requirement for a SIP revision is known as a “SIP call.” The CAA authorizes EPA to allow a state up to 18 months to respond to a SIP call. In the circumstances presented here, and in conjunction with EPA’s proposal to rescind its determination that the NY-NJ-CT area is attaining the NAAQS, EPA is proposing under section 110(k)(5) to find the SIPs substantially inadequate with respect to attainment of the 1997 8-hour ozone NAAQS. EPA therefore proposes to issue SIP calls requiring the States of New York, New Jersey and Connecticut to develop SIP revisions demonstrating how the NY-NJ-CT area will re-attain the 1997 8-hour ozone standard.

V. How should the States respond to a final SIP call?

As noted above, EPA has previously approved attainment demonstrations for New York and New Jersey and proposed approval of Connecticut’s attainment demonstration for the NY-NJ-CT area. These approvals and proposed approval

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<th>State</th>
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* 2013 Data not yet certified and is subject to change.
were based on the fact that the plans showed that the NY-NJ-CT area would attain by the area’s June 15, 2010 attainment date. Moreover, as stated previously, EPA, after notice-and-comment rulemaking, determined the area did attain by that date (77 FR 36163). However, based on the monitoring data discussed above for the NY-NJ-CT area, EPA is proposing to determine the area has since violated the 1997 8-hour ozone standard. Therefore, EPA is proposing that the States submit updated plans showing how the area will re-attain the standard. EPA is proposing that the States have two different ways of responding to the SIP call.

First, EPA proposes that the States respond to the SIP call by submitting revisions to their respective SIPs showing how the States will re-attain the 1997 8-hour ozone standard. EPA is also proposing, as an alternative response to the SIP call, that the States develop and submit an attainment plan demonstrating attainment of the current 2008 8-hour ozone standard. Currently, the NY-NJ-CT area is designated nonattainment and classified as “marginal” for the 2008 8-hour ozone standard. An attainment plan is not required for areas classified as “marginal,” but these areas must still attain the ozone standard. Thus, under this option, New York, New Jersey and Connecticut may either: (1) Request that the entire NY-NJ-CT area be reclassified to “moderate” for the 2008 8-hour ozone standard and prepare the required SIP elements pursuant to a “moderate” classification and attain as expeditiously as practicable, but, no later than 2018; or, (2) voluntarily prepare an attainment SIP for the NY-NJ-CT area for the 2008 8-hour ozone standard, which demonstrates attainment by the current “marginal” classification attainment date, i.e., 2015. EPA is proposing that this alternative response of submitting an attainment plan for the 2008 ozone standard would also satisfy EPA’s SIP call on the 1997 8-hour ozone standard being proposed in this action since it would be demonstrating compliance with a more stringent NAAQS.

In order to provide a reasonable time for the states to develop and submit either of these two SIP revisions, EPA is proposing to provide the States of New York, New Jersey and Connecticut a period of 18 months from the effective date of a final SIP call to develop and submit to EPA the relevant SIPs for the 1997 or 2008 ozone NAAQS. This 18 months is the maximum period allowed pursuant to CAA section 110(k)(5) and EPA believes it is reasonable time for New York, New Jersey and Connecticut to develop and submit the relevant SIPs to EPA.

EPA is proposing that the effective date for a final SIP call and rescission of the CDD will be 30 days after publication of the final rule in the Federal Register.

VI. What happens if any of the States (New York, New Jersey and Connecticut) do not submit a SIP responding to the SIP calls?

Section 179(a) sets forth four findings that form the basis for application of sanctions. The first finding, that a State has failed to submit a plan or one or more elements of a plan required under the CAA, is the finding that may be relevant to this rulemaking, should the States of New York, New Jersey and Connecticut fail to submit the required plan (i.e., a SIP revision showing how the state will re-attain the 1997 ozone standard, or under the alternative response discussed above, a SIP revision demonstrating attainment of the 2008 ozone standard) in response to this SIP call. If any of the States fail to submit the required plan, EPA will issue a finding under section 179(a) of the CAA that the State or States failed to make a required SIP submittal. If within 18 months of the finding, the State or States of New York, New Jersey and Connecticut have not submitted an attainment SIP that EPA determines is complete, then the emission offset sanction will apply automatically pursuant to CAA section 179(a) and 40 CFR 52.31. Under this sanction, the ratio of emission reductions that must be obtained to offset increased emissions caused by new major sources or modifications to major sources in the NY-NJ-CT area must be at least two to one. If the State or States of New York, New Jersey and Connecticut do not make a complete submission within six months after the offset sanction applies, then the highway funding sanction will apply, in accordance with 40 CFR 52.31. In addition, sanctions would apply in the same manner if the State or States of New York, New Jersey and Connecticut submit a plan that EPA determines is incomplete or that EPA disapproves. Finally, CAA section 110(c) provides that EPA promulgate a SIP no later than 24 months after a finding of failure to submit a SIP under section 179(a) unless the State or States of New York, New Jersey and Connecticut have submitted and EPA has approved the respective attainment plan.

EPA is soliciting public comments on the issues discussed in this action. EPA will consider these comments before taking final action. Interested parties may participate in the Federal rulemaking procedure by submitting written comments to EPA as discussed in the ADDRESSES section of this Federal Register.

Note that if EPA receives adverse comment on a portion of this action and if that portion can be severed from the remainder of the action, EPA may adopt as final those provisions that are not the subject of an adverse comment. In addition, EPA may take final action on one or more of these actions separately, depending on the circumstances involved with each State’s portion of the area.

VII. Statutory and Executive Order Reviews

This action proposes a determination, i.e., that the NY-NJ-CT area is no longer attaining the 1997 ozone NAAQS, based on EPA’s review of air quality data provided by Connecticut, New York and New Jersey. This action also proposes a SIP call for the States of Connecticut, New York, and New Jersey. In proposing this SIP call, EPA is acting under Section 110(k)(5) of the CAA, which requires the Agency to require a state to correct a deficiency that EPA has found in the State Implementation Plan of the state. Accordingly, this action does not impose additional requirements beyond those required by the CAA itself. For that reason, this action:

- Does not contain any unfunded mandate or significantly or uniquely
SUMMARY:

**AGENCY:** Implementation Plans; State of Iowa

**ACTION:** Approval and Promulgation of [EPA–R07–OAR–2014–0165; FRL 9910–66–Region–7] of revisions to the State Implementation Plan (SIP) for the state of Iowa. This proposed rulemaking will amend the SIP to include revised permitting regulations that will allow facilities to construct or modify existing sources in areas that are not in attainment with the National Ambient Air Quality Standards. The rules being revised are Chapter 20, “Scope of Title-Definitions-Forms-Rules of Practice,” Chapter 22, “Controlling Pollution,” Chapter 31, “Nonattainment Areas,” and Chapter 33, “Special Regulations and Construction Permit Requirements for Major Stationary Sources—Prevention for Significant Deterioration of Air Quality.” The provisions from previous nonattainment permitting rules are being retained and are now relocated to Chapter 31 “Nonattainment Areas.”

**DATES:** Comments on this proposed action must be received in writing by June 16, 2014.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA–R07–OAR–2014–0165 by one of the following methods:

2. Email: algoe-eakin.amy@epa.gov
3. Mail: Amy Algoe-Eakin,
   Environmental Protection Agency, Air Planning and Development Branch,
   11201 Renner Road, Lenexa, Kansas 66219.

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 73**

**Radio Broadcasting Services; McCall, Idaho**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a Petition for Rule Making filed by Ashley A. Brunton, proposing the allotment of Channel 280A at McCall, Idaho, as the community’s eighth local service. A staff engineering analysis confirms that Channel 280A can be allotted to McCall, Idaho consistent with the minimum distance separation requirements of the rules with a site restriction 0.4 kilometers (0.2 miles) southwest of the community. The reference coordinates are 44–54–30 NL and 116–06–00 WL.

**DATES:** Comments must be filed on or before June 23, 2014, and reply comments on or before July 8, 2014.

**ADDRESSES:** Secretary, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner as follows: Ashley A. Brunton,