

performing Postal Service responsibilities at a recognition event, meeting with a customer, or otherwise conducting Postal Service business, whether or not the event occurs during the nonbargaining employee's normal work hours. Such events often involve the serving of food and beverages, whether during a meal or as refreshments at the event.

The Postal Service, however, wishes to restrict the consumption of intoxicating beverages by nonbargaining employees at Postal Service events to appropriate situations for which executive approval has been obtained, whether or not the employees are on duty. As a result, any event where intoxicating beverages are served to Postal Service nonbargaining employees, whether they are on duty or off duty, must meet the requirements for an Officer Approved Event or a Postmaster General Approved Event. Among other things, this means that the consumption of intoxicating beverages at the event would require the express approval of a Postal Service Officer or the Postmaster General.

The new regulations will not change the existing prohibitions against beginning work or returning to duty intoxicated. They will, however, impose a specific prohibition against becoming intoxicated at Officer Approved Events or Postmaster General Approved Events.

The new regulations also clarify the conditions under which intoxicating beverages may be possessed or consumed on Postal Service premises. First, beer and wine would be permitted on Postal Service premises if approved by a Postal Service Officer in connection with an Officer Approved Event. Under current regulations, only the Postmaster General may approve the consumption of intoxicating beverages on Postal Service Premises. Second, intoxicating beverages other than beer and wine would never be permitted on Postal Service premises, regardless of whether the event is an Officer Approved Event or a Postmaster General Approved Event. Under current regulations, the Postmaster General may approve the consumption of intoxicating beverages other than beer and wine on Postal Service premises.

#### List of Subjects in 39 CFR Part 447

Conflict of interests, Employee conduct, Government employees.

For the reasons stated in the preamble, the Postal Service amends 39 CFR part 447 as set forth below:

## PART 447—RULES OF CONDUCT FOR POSTAL EMPLOYEES

■ 1. The authority citation for part 447 continues to read as follows:

Authority: 39 U.S.C. 401.

### Subpart B—Employee Conduct

■ 2. Revise § 447.21(e) to read as follows:

#### § 447.21 Prohibited conduct.

\* \* \* \* \*

(e)(1) Except as provided in this paragraph, employees must not drink beer, wine, or other intoxicating beverages while on duty; begin work or return to duty intoxicated; or drink intoxicating beverages in a public place while in uniform. Employees found to be violating this policy may be subject to disciplinary action.

(2) A nonbargaining employee may consume beer or wine at an Officer Approved Event. An *Officer Approved Event* means: A meeting of Postal Service employees convened by management, such as a working meal, an employee recognition event, or an employee appreciation event; or an event whose primary purpose is to interact with external individuals or entities, such as an industry conference, a sales meeting, or a supplier meeting; that in all cases is either attended by an Officer of the Postal Service who personally decides that the consumption of beer and wine by employees is appropriate, or with respect to which an Officer of the Postal Service has granted specific, written, and advance approval for the consumption of beer and wine by employees.

(3) A nonbargaining employee may consume beer, wine, or other intoxicating beverages at a Postmaster General Approved Event. A *Postmaster General Approved Event* means any Postal Service-related event with respect to which the Postmaster General personally approves the consumption of beer, wine, or other intoxicating beverages.

(4) No employee may become intoxicated while at an Officer Approved Event or a Postmaster General Approved Event. Except in connection with an Officer Approved Event or a Postmaster General Approved Event occurring at a Postal Service facility or premises, no employee shall have or bring any container of beer or wine into any Postal Service facility or premises, whether the container has been opened or not. Intoxicating beverages other than beer and wine may never be brought

into any Postal Service facility or premises under any circumstances.

\* \* \* \* \*

Stanley F. Mires,

Attorney, Federal Compliance.

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R04-OAR-2016-0656; FRL-9965-14-Region 4]

### Air Plan Approval; Florida: Unnecessary Rule Removal

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is approving a revision to the Florida State Implementation Plan submitted by the Florida Department of Environmental Protection (DEP) on February 20, 2013. The revision removes unnecessary and superseded rules from the Florida State Implementation Plan (SIP). Specifically, this revision removes non-regulatory introductory language, as well as a regulation that has been superseded by more stringent federal regulations. This action is being taken pursuant to the Clean Air Act (CAA or Act).

**DATES:** This direct final rule is effective September 19, 2017 without further notice, unless EPA receives adverse comment by August 21, 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 No. EPA-R04-OAR-2016-0656 at <http://www.regulations.gov>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. 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, 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:**

Sean Lakeman, 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) 562-9043. Mr. Lakeman can also be reached via electronic mail at [lakeman.sean@epa.gov](mailto:lakeman.sean@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

In accordance with 40 CFR 51.103, DEP submitted for EPA to review and approve revisions to Florida's SIP under the CAA. The SIP revision removes four rules from the SIP that are unnecessary or have been superseded by federal regulations. The rules requested to be removed from the SIP are Rule 62-210.100, Florida Administrative Record (F.A.C.), "Purpose and Scope;" Rule 62-212.100, F.A.C., "Purpose and Scope;" Rule 62-296.407, F.A.C., "Portland Cement Plants;" and Rule 62-297.100, F.A.C., "Purpose and Scope."

**II. Analysis of State's Submittal**

On February 20, 2013, the DEP submitted a SIP revision to EPA for review and approval. This SIP revision requests the removal of Rules 62-210.100, 62-212.100, and 62-297.100, F.A.C., each of which is titled "Purpose and Scope," because they contain unnecessary, introductory language for the associated rule chapters. This introductory language serves no regulatory purpose and can be removed without being considered a relaxation of a regulation. The language merely introduces the regulatory chapter that follows and does not impose any regulatory requirements.

This SIP revision also removes Rule 62-296.407, F.A.C., "Portland Cement Plants," from the current SIP. Particulate matter (PM) emissions from Portland cement kilns and clinker coolers are more stringently regulated under 40 CFR part 60, subpart F (Standards of Performance for Portland Cement Plants), and 40 CFR part 63, subpart LLL (National Emission Standards for Hazardous Air Pollutants

From the Portland Cement Manufacturing Industry), than under Rule 62-296.407, F.A.C. The Florida DEP has been delegated the authority to implement and enforce both part 60, subpart F, *see* 55 FR 23077 (June 6, 1990) and 63 FR 50163 (September 21, 1998), and part 63, subpart LLL, *see* 40 CFR 63.99(a)(10). All Portland cement facilities in Florida originally subject only to Rule 62-296.407, F.A.C., have either been permanently shut down or modernized such that the emission limits set forth in the federal regulations currently apply. Actual PM emissions are expected to decrease in the future as facilities come into compliance with 40 CFR part 63, subpart LLL, as most recently amended on September 11, 2015. *See* 80 FR 54728.

These changes are consistent with section 110 of the CAA and meet the regulatory requirements pertaining to SIPs. Pursuant to CAA section 110(l), the Administrator shall not approve a revision of a plan if the revision would interfere with any applicable requirement concerning attainment and reasonable further progress (as defined in CAA section 171), or any other applicable requirement of the Act. The revision of Rules 62-210.100, 62-212.100, 62-296.407, and 62-297.100 and, F.A.C., are approvable under section 110(l) because they would not interfere with the attainment and maintenance of the NAAQS.

**III. Final Action**

Pursuant to section 110 of the CAA, EPA is approving the revision to the Florida SIP removing unnecessary rules from the SIP. EPA has evaluated Florida's February 20, 2013, submittal and has determined that it meets the applicable requirements of the CAA and EPA regulations and is consistent with EPA policy.

EPA is publishing this rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. However, in the proposed rules section of this **Federal Register** publication, EPA is publishing a separate document that will serve as the proposal to approve the SIP revision should adverse comments be filed. This rule will be effective September 19, 2017 without further notice unless the Agency receives adverse comments by August 21, 2017.

If EPA receives such comments, then EPA will publish a document withdrawing the final rule and informing the public that the rule will not take effect. All public comments received will then be addressed in a subsequent final rule based on the

proposed rule. EPA will not institute a second comment period. Parties interested in commenting should do so at this time. If no such comments are received, the public is advised that this rule will be effective on September 19, 2017 and no further action will be taken on the proposed rule.

Please note that if we receive adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, we may adopt as final those provisions of the rule that are not the subject of an adverse comment.

**IV. Statutory and Executive Order Reviews**

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable federal regulations. *See* 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 Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- 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).

The SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), nor will it impose substantial direct costs on tribal governments or preempt tribal law.

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 September 19, 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. 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, Particulate matter, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: July 7, 2017.

V. Anne Heard,

Acting Regional Administrator, Region 4.

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 K—Florida

##### § 52.520 [Amended]

■ 2. Section 52.520(c) is amended by removing the entries for “62–210.100,” “62–212.100,” “62–297.100,” and “62–296.407.”

[FR Doc. 2017–15268 Filed 7–20–17; 8:45 am]

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#### ENVIRONMENTAL PROTECTION AGENCY

##### 40 CFR Part 82

[EPA–HQ–OAR–2003–0118; FRL–9964–73–OAR]

RIN 2060–AG12

#### Protection of Stratospheric Ozone: Determination 33 for Significant New Alternatives Policy Program

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

**ACTION:** Determination of acceptability.

**SUMMARY:** This determination of acceptability expands the list of acceptable substitutes pursuant to the U.S. Environmental Protection Agency’s (EPA) Significant New Alternatives Policy (SNAP) program. This action lists as acceptable additional substitutes for use in the refrigeration and air conditioning sector and the cleaning solvents sector.

**DATES:** This determination is applicable on July 21, 2017.

**ADDRESSES:** EPA established a docket for this action under Docket ID No. EPA–HQ–OAR–2003–0118 (continuation of Air Docket A–91–42). All electronic documents in the docket are listed in the index at [www.regulations.gov](http://www.regulations.gov). Although listed in the index, some information is not publicly available, *i.e.*, Confidential Business Information (CBI) or other information whose disclosure is

restricted by statute. Publicly available docket materials are available either electronically at [www.regulations.gov](http://www.regulations.gov) or in hard copy at the EPA Air Docket (Nos. A–91–42 and EPA–HQ–OAR–2003–0118), EPA Docket Center (EPA/DC), William J. Clinton West, Room 3334, 1301 Constitution Avenue NW., Washington, DC 20460. 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 Air Docket is (202) 566–1742.

#### FOR FURTHER INFORMATION CONTACT:

Gerald Wozniak by telephone at (202) 343–9624, by email at [wozniak.gerald@epa.gov](mailto:wozniak.gerald@epa.gov), or by mail at U.S. Environmental Protection Agency, Mail Code 6205T, 1200 Pennsylvania Avenue NW., Washington, DC 20460. Overnight or courier deliveries should be sent to the office location at 1201 Constitution Avenue NW., Washington, DC 20004.

For more information on the Agency’s process for administering the SNAP program or criteria for the evaluation of substitutes, refer to the initial SNAP rulemaking published in the **Federal Register** on March 18, 1994 (59 FR 13044). Notices and rulemakings under the SNAP program, as well as other EPA publications on protection of stratospheric ozone, are available at EPA’s Ozone Layer Protection Web site at [www.epa.gov/ozone-layer-protection](http://www.epa.gov/ozone-layer-protection) including the SNAP portion at [www.epa.gov/snap/](http://www.epa.gov/snap/).

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#### I. Listing of New Acceptable Substitutes

This action presents EPA’s most recent decision to list as acceptable several substitutes in the refrigeration and air conditioning sector and the cleaning solvents sector. New substitutes are:

- Hydrofluorocarbon (HFC)-134a in residential and light commercial air conditioning and heat pumps (retrofit equipment);