

of this document. Written comments must appear in minimum 12 point font size (.17 inches), include the commenter's complete first and last name and full mailing address, be signed, and may be of any length.

- *Facsimile*: Submit comments by facsimile transmission to (202) 648-9741. Faxed comments must (1) Be legible and appear in minimum 12-point font size (.17 inches); (2) Be on 8½" x 11" paper; and (3) Be signed and contain the commenter's complete first and last name and full mailing address.

#### Disclosure

Copies of this advance notice, and the comments received will be available at <http://www.regulations.gov> (search for Docket No. 2017R-22) and for public inspection by appointment during normal business hours at: ATF Reading Room, Room 1E-063, 99 New York Avenue NE, Washington, DC 20226; telephone: (202) 648-8740.

#### List of Subjects

##### 27 CFR Part 478

Administrative practice and procedure, Arms and munitions, Customs duties and inspection, Exports, Imports, Intergovernmental relations, Law enforcement officers, Military personnel, Penalties, Reporting and recordkeeping requirements, Research, Seizures and forfeitures, Transportation.

##### 27 CFR Part 479

Administrative practice and procedure, Arms and munitions, Excise taxes, Exports, Imports, Military personnel, Penalties, Reporting and recordkeeping requirements, Seizures and forfeitures, and Transportation.

#### Authority and Issuance

This document is issued under the authority of 5 U.S.C. 552(a); 18 U.S.C. 921 *et seq.*; 26 U.S.C. 5841 *et seq.*

Dated: December 19, 2017.

**Thomas E. Brandon,**

*Deputy Director.*

[FR Doc. 2017-27898 Filed 12-21-17; 4:15 pm]

**BILLING CODE 4410-FY-P**

## DEPARTMENT OF JUSTICE

### 28 CFR Parts 35 and 36

[CRT Docket No. 138]

RIN 1190-AA61; RIN 1190-AA62; RIN 1190-AA64; RIN 1190-AA65

#### Nondiscrimination on the Basis of Disability; Notice of Withdrawal of Four Previously Announced Rulemaking Actions

**AGENCY:** Civil Rights Division, Department of Justice.

**ACTION:** Notice of withdrawal.

**SUMMARY:** The Department of Justice is announcing the withdrawal of four previously announced Advance Notices of Proposed Rulemaking (ANPRMs), pertaining to title II and title III of the Americans with Disabilities Act (ADA), for further review.

**DATES:** As of December 26, 2017, these four previously announced ANPRMs are formally withdrawn.

**ADDRESSES:** Disability Rights Section, Civil Rights Division, U.S. Department of Justice, P.O. Box 2885, Fairfax, VA 22031-0885.

#### FOR FURTHER INFORMATION CONTACT:

Anne Raish, Acting Chief, Disability Rights Section, Civil Rights Division, U.S. Department of Justice, at (202) 307-0663 (voice or TTY) (not a toll-free number). Information may also be obtained from the Department's toll-free ADA Information Line at (800) 514-0301 (voice), or (800) 514-0383 (TTY).

You may obtain copies of this document in an alternative format by calling the ADA Information Line at (800) 514-0301 (voice), or (800) 514-0383 (TTY).

**SUPPLEMENTARY INFORMATION:** The Department of Justice is formally announcing the withdrawal of four previously announced Advance Notices of Proposed Rulemaking (ANPRMs) pertaining to title II and title III of the Americans with Disabilities Act (ADA): (1) Nondiscrimination on the Basis of Disability; Accessibility of Web Information and Services of Public Accommodations (RIN 1190-AA61); (2) Nondiscrimination on the Basis of Disability in State and Local Government Services; Next Generation 9-1-1 (RIN 1190-AA62); (3) Nondiscrimination on the Basis of Disability by State and Local Governments and Places of Public Accommodation; Equipment and Furniture (RIN 1190-AA64); and (4) Nondiscrimination on the Basis of Disability; Accessibility of Web Information and Services of State and Local Government (RIN 1190-AA65).

## Reasons for Withdrawal

### A. Accessibility of Web Information

On July 26, 2010, the Department published an ANPRM regarding the accessibility of Web information and services of state and local government entities (title II) and public accommodations (title III). 75 FR 43460. The Department subsequently bifurcated the rulemaking to deal separately with state and local government entities subject to title II (RIN 1190-AA65) and public accommodations subject to title III (RIN 1190-AA61), and proceeded first with the title II rulemaking. On May 9, 2016, the Department published a Supplemental Advance Notice of Proposed Rulemaking (SANPRM) regarding title II Web accessibility to seek additional public input regarding a wide range of issues pertaining to the accessibility of Web information and services of state and local governments. 81 FR 28658. The Department has not published any rulemaking document regarding title III Web accessibility since the 2010 ANPRM.

The Department is evaluating whether promulgating regulations about the accessibility of Web information and services is necessary and appropriate. Such an evaluation will be informed by additional review of data and further analysis. The Department will continue to assess whether specific technical standards are necessary and appropriate to assist covered entities with complying with the ADA. Accordingly, the Department is withdrawing the two previously announced ANPRMs related to the accessibility of Web information and services, "Nondiscrimination on the Basis of Disability; Accessibility of Web Information and Services of State and Local Government Entities and Public Accommodations" (RIN 1190-AA61) (75 FR 43460), and "Nondiscrimination on the Basis of Disability; Accessibility of Web Information and Services of State and Local Government" (RIN 1190-AA65) (81 FR 28658).

### B. Accessibility of Equipment and Furniture

The Department initiated a review of accessibility of equipment and furniture on July 26, 2010, with the publication of an ANPRM to consider possible changes to requirements under titles II and III of the ADA to ensure that non-fixed equipment and furniture provided by covered entities are accessible to individuals with disabilities. 75 FR 43452. While some types of fixed equipment and furniture are explicitly covered by the ADA Standards for Accessible Design, *see, e.g.*, 28 CFR

36.406(b), there are currently no specific provisions in the ADA regulations that include standards governing the accessibility of equipment and furniture that are not fixed. The Department has not published any rulemaking document regarding non-fixed equipment and furniture since the 2010 ANPRM.

The Department is reevaluating whether regulation of the accessibility of non-fixed equipment and furniture is necessary and appropriate. Accordingly, the Department is withdrawing the previously announced ANPRM entitled “Nondiscrimination on the Basis of Disability by State and Local Governments and Places of Public Accommodation; Equipment and Furniture” (RIN 1190-AA64) (75 FR 43452).

### C. Next Generation 9–1–1

On July 26, 2010, the Department published an ANPRM announcing the Department’s intention to consider a rule to revise the ADA title II regulation to address how Public Safety Answering Points, which provide 9–1–1 services at the local level, can shift from analog telecommunications technology to new internet-Protocol-enabled Next Generation 9–1–1 (NG 9–1–1) services that will provide voice and data (such as text, pictures, and video) capabilities. 75 FR 43446. The Department has not published any rulemaking document regarding NG 9–1–1 since the 2010 ANPRM.

The Department is evaluating how best to address the accessibility of NG 9–1–1 services in light of changing circumstances. With the increased adoption of NG 9–1–1, the Department is evaluating whether regulatory action is necessary and appropriate to promote the increased availability of text to 9–1–1 services to improve access for people with communication disabilities. Accordingly, the Department is withdrawing the previously announced ANPRM entitled “Nondiscrimination on the Basis of Disability in State and Local Government Services; Accessibility of Next Generation 9–1–1” (RIN 1190-AA62) (75 FR 43446).

### Conclusion

In consideration of the foregoing, the Department announces the withdrawal of the four above-named ANPRMs. Such ANPRMs had no force or effect of law, and no party should rely upon them as presenting the Department of Justice’s position on these issues. This notification does not preclude the Department from issuing other documents on these subjects in the future or commit the Department to any

future course of action, nor does it constitute an interpretation of existing law. Should the Department decide to undertake rulemaking in the future, the Department will publish new rulemaking actions and provide new opportunities for public comment. Furthermore, this notification only addresses the specific ANPRMs identified in this document, and does not address any other pending proposals that the Department has issued or is considering.

Dated: December 15, 2017.

**John M. Gore,**

*Acting Assistant Attorney General, Civil Rights Division.*

[FR Doc. 2017–27510 Filed 12–22–17; 8:45 am]

**BILLING CODE 4410–13–P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA–R06–OAR–2015–0850; FRL–9971–17–Region 6]

### Approval and Promulgation of Air Quality Implementation Plans; New Mexico; Infrastructure and Interstate Transport for the 2012 Fine Particulate Matter National Ambient Air Quality Standard and Revised Statutes

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

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing to approve State Implementation Plan (SIP) revisions submitted by the State of New Mexico to address the requirements of section 110(a)(1) and (2) of the Clean Air Act (CAA or Act) for 2012 fine particulate matter (PM<sub>2.5</sub>) National Ambient Air Quality Standard (NAAQS). The revisions address how the existing SIP provides for implementation, maintenance, and enforcement of PM<sub>2.5</sub> (infrastructure SIP or i-SIP). Under CAA sections 110(a)(1) and 110(a)(2), each state is required to submit a SIP that provides for the implementation, maintenance, and enforcement of a revised primary or secondary NAAQS. CAA section 110(a)(1) and (2) require each state to make a new SIP submission within three years after EPA promulgates a new or revised NAAQS for approval into the existing SIP to assure that the SIP meets the applicable requirements for such new and revised NAAQS. This type of SIP submission is commonly referred to as an “infrastructure SIP or “i-SIP.” We propose approval of this action under

Section 110 of the Act. EPA is also proposing to approve a SIP revision to update the New Mexico statutes incorporated into the SIP.

**DATES:** Written comments must be received on or before January 25, 2018.

**ADDRESSES:** Submit your comments, identified by Docket No. EPA–R06–OAR–2015–0850, at <http://www.regulations.gov> or via email to [fuerst.sherry@epa.gov](mailto:fuerst.sherry@epa.gov). Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from [Regulations.gov](http://www.regulations.gov). The 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. The 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, please contact Sherry Fuerst, (214) 665–6454, [fuerst.sherry@epa.gov](mailto:fuerst.sherry@epa.gov). For 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>.

**Docket:** The index to the docket for this action is available electronically at [www.regulations.gov](http://www.regulations.gov) and in hard copy at EPA Region 6, 1445 Ross Avenue, Suite 700, Dallas, Texas. While all documents in the docket are listed in the index, some information may be publicly available only at the hard copy location (*e.g.*, copyrighted material), and some may not be publicly available at either location (*e.g.*, CBI).

**FOR FURTHER INFORMATION CONTACT:** Sherry Fuerst, (214) 665–6454, [fuerst.sherry@epa.gov](mailto:fuerst.sherry@epa.gov). To inspect the hard copy materials, please schedule an appointment with her or Bill Deese at (214) 665–7253.

**SUPPLEMENTARY INFORMATION:** Throughout this document “we,” “us,” or “our” mean EPA.

### I. Background

On December 14, 2012 we promulgated a revised primary annual PM<sub>2.5</sub> NAAQS of 12.0 µg/m<sup>3</sup> (78 FR 3085, January 15, 2013), and we retained the primary 24-hour PM<sub>2.5</sub> standard of 35 µg/m<sup>3</sup> and the secondary standards.