

*J. National Technology Transfer and Advancement Act*

This rulemaking does not involve technical standards.

*K. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations*

The EPA believes the human health or environmental risk addressed by this action will not have potential disproportionately high and adverse human health or environmental effects on minority, low-income or indigenous populations, because it does not affect the level of protection provided to human health or the environment. The EPA's evaluation of environmental justice considerations is contained in section IV of this notice.

*L. Congressional Review Act (CRA)*

This action is subject to the CRA, and the EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. This action is not a "major rule" as defined by 5 U.S.C. 804(2).

*M. Petitions for Judicial Review*

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 February 26, 2018. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule 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, Intergovernmental relations, Interstate transport, Particulate matter, Reporting and recordkeeping requirements.

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

Dated: December 11, 2017.

**Deborah A. Szaro,**

*Acting Regional Administrator, EPA New England.*

[FR Doc. 2017-27625 Filed 12-22-17; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 62**

[EPA-R03-OAR-2017-0509; FRL-9972-52-Region 3]

**Full Withdrawal of Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants; City of Philadelphia; Control of Emissions From Existing Sewage Sludge Incineration Units**

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

**ACTION:** Withdrawal of direct final rule.

**SUMMARY:** Due to the receipt of an adverse comment, the Environmental Protection Agency (EPA) is withdrawing the October 26, 2017 direct final rule (DFR) that approved a negative declaration submitted by the City of Philadelphia. The negative declaration certified that no existing sewage sludge incineration (SSI) units exist within the City of Philadelphia. EPA stated in the direct final rule that if EPA received adverse comments by November 27, 2017, the rule would be withdrawn and not take effect. EPA subsequently received an adverse comment. This withdrawal action is being taken under sections 129 and 111(d) of the Clean Air Act.

**DATES:** The direct final rule published at 82 FR 49511 on October 26, 2017, is withdrawn effective December 26, 2017.

**ADDRESSES:** EPA has established docket number EPA-R03-OAR-2017-0509 for this action. The index to the docket is available electronically at <http://www.regulations.gov> and in hard copy at Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103.

**FOR FURTHER INFORMATION CONTACT:** Mr. Mike Gordon, (215) 814-2039, or by email at [gordon.mike@epa.gov](mailto:gordon.mike@epa.gov).

**SUPPLEMENTARY INFORMATION:** Philadelphia Air Management Services submitted a negative declaration letter to EPA certifying on March 28, 2012 that there are no SSI units subject to the requirements of sections 111(d) and 129 of the CAA in its respective air pollution control jurisdiction. The negative declaration letter and EPA's technical support document for this action are available in the docket for this rulemaking and available online at [www.regulations.gov](http://www.regulations.gov).

Please see additional information provided in the direct final action published in the **Federal Register** on October 26, 2017 (82 FR 49511) and in

the companion proposed rule which was also published on October 26, 2017 (82 FR 49563). In the DFR, we stated that if we received adverse comment by November 27, 2017, the rule would be withdrawn and not take effect. EPA subsequently received an adverse comment. EPA will address the comment received in a subsequent final action based upon the proposed action also published on October 26, 2017. EPA will not institute a second comment period on this action. As a result of the comment received, EPA is withdrawing the direct final rule approving the negative declaration submitted by the City of Philadelphia for existing SSI units.

**List of Subjects in 40 CFR Part 62**

Environmental protection, Administrative practice and procedure, Air pollution control, Intergovernmental relations, Reporting and recordkeeping requirements, Waste treatment and disposal.

Dated: December 15, 2017.

**Cosmo Servidio**

*Regional Administrator, Region III.*

■ Accordingly, the amendments to 40 CFR 62.9665, published on October 26, 2017 (82 FR 49511), are withdrawn effective December 26, 2017.

[FR Doc. 2017-27795 Filed 12-22-17; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 62**

[EPA-R03-OAR-2017-0484; FRL-9972-55-Region 3]

**Approval and Promulgation of Air Quality Implementation Plans; Maryland; Continuous Opacity Monitoring Requirements for Municipal Waste Combustors; Withdrawal of Direct Final Rule**

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

**ACTION:** Withdrawal of direct final rule.

**SUMMARY:** Due to the receipt of an adverse comment, the Environmental Protection Agency (EPA) is withdrawing the November 6, 2017 direct final rule (DFR) that approved revisions to the State of Maryland's Clean Air Act (CAA) section 111(d)/129 State Plan for municipal waste combustors (MWCs). The revisions contain Maryland's amendments to Regulations .07 and .08 under the Code of Maryland Regulations (COMAR) 26.11.08. This withdrawal