

**(h) Subject**

*Joint Aircraft Service Component (JASCO)  
Code: 3212 Emergency Flotation Section.*

Issued in Fort Worth, Texas, on October 16, 2017.

**James A. Grigg,**

*Acting Director, Compliance & Airworthiness  
Division, Aircraft Certification Service.*

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**BILLING CODE 4910-13-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R03-OAR-2017-0479; FRL-9968-42-  
Region 3]

### Air Quality Plans; Pennsylvania; Lebanon County 2012 Fine Particulate Matter Standard Determination of Attainment

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

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing to determine that the Lebanon County, Pennsylvania nonattainment area (the Lebanon County Area) has attained the 2012 annual fine particulate matter (PM<sub>2.5</sub>) national ambient air quality standards (NAAQS). This proposed determination of attainment, also known as a clean data determination, is based on quality assured and certified ambient air quality data for the 2014–2016 monitoring period. If finalized, the effect of this determination of attainment would be to suspend certain planning requirements for the area, including the requirement to submit an attainment demonstration and associated reasonably available control measures (RACM), a reasonable further progress (RFP) plan, and contingency measures. These requirements would be suspended for as long as the area continues to meet the 2012 annual PM<sub>2.5</sub> NAAQS. However, this proposed action is not a redesignation to attainment for the area. This action is being taken under the Clean Air Act (CAA).

**DATES:** Written comments must be received on or before December 4, 2017.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R03-OAR-2017-0479 at <http://www.regulations.gov>, or via email to [stahl.cynthia@epa.gov](mailto:stahl.cynthia@epa.gov). For comments submitted at [Regulations.gov](http://Regulations.gov), follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from [Regulations.gov](http://Regulations.gov). For either manner of

submission, 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, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. 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>.

**FOR FURTHER INFORMATION CONTACT:** Maria A. Pino, (215) 814-2181, or by email at [pino.maria@epa.gov](mailto:pino.maria@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

On December 14, 2012, EPA promulgated a revised primary annual PM<sub>2.5</sub> NAAQS to provide increased protection of public health from fine particle pollution (the 2012 PM<sub>2.5</sub> NAAQS). *See* 78 FR 3086 (January 15, 2013). In that action, EPA strengthened the primary annual PM<sub>2.5</sub> standard, lowering the level from 15.0 micrograms per cubic meter (µg/m<sup>3</sup>) to 12.0 µg/m<sup>3</sup>. The 2012 PM<sub>2.5</sub> NAAQS is attained when the 3-year average of the annual arithmetic means does not exceed 12.0 mg/m<sup>3</sup>. *See* 40 CFR 50.18. On December 18, 2014 (80 FR 2206), EPA made designation determinations, as required by CAA section 107(d)(1), for the 2012 PM<sub>2.5</sub> NAAQS. In that action, EPA designated the Lebanon County Area as moderate nonattainment for the 2012 annual PM<sub>2.5</sub> NAAQS. *See* 40 CFR 81.339.

Under EPA's longstanding Clean Data Policy,<sup>1</sup> which was codified in EPA's Clean Air Fine Particulate Implementation Rule (72 FR 20586, April 25, 2007), EPA may issue a determination of attainment after notice and comment rulemaking determining that a specific area is attaining the relevant standard. *See* 40 CFR 51.1004. The effect of a clean data determination is to suspend the requirement for the

area to submit an attainment demonstration, RACM, RFP plan, contingency measures, and any other planning State Implementation Plans (SIPs) related to attainment for as long as the area continues to attain the standard.

In EPA's Fine Particulate Matter National Ambient Air Quality Standards: State Implementation Plan Requirements (81 FR 58010, August 24, 2016), EPA reaffirmed the Clean Data Policy at 40 CFR 51.1015. The rule states that, upon a determination by EPA that a moderate PM<sub>2.5</sub> nonattainment area has attained the PM<sub>2.5</sub> NAAQS, the requirements for the state to submit an attainment demonstration, RACM (including reasonably available control technology (RACT) for stationary sources), RFP, quantitative milestones and quantitative milestone reports, and contingency measures for the area shall be suspended until such time as: (1) The area is redesignated to attainment, after which such requirements are permanently discharged; or, (2) EPA determines that the area has re-violated the PM<sub>2.5</sub> NAAQS, at which time the state shall submit such attainment plan elements for the moderate nonattainment area by a future date to be determined by EPA and announced through publication in the **Federal Register** at the time EPA determines the area is violating the PM<sub>2.5</sub> NAAQS. *See* 40 CFR 51.1015.

##### **II. EPA's Evaluation**

Under EPA regulations at 40 CFR part 50, § 50.18 and appendix N, the annual primary PM<sub>2.5</sub> standard is met when the 3-year average of PM<sub>2.5</sub> annual mean mass concentrations for each eligible monitoring site is less than or equal to 12 µg/m<sup>3</sup>. Three years of valid annual means are required to produce a valid annual PM<sub>2.5</sub> NAAQS design value. A year meets data completeness requirements when quarterly data capture rates for all four quarters are at least 75 percent (%) from eligible monitoring sites. *See* 40 CFR part 50, appendix N.

By letter dated May 17, 2017, Pennsylvania certified its 2016 ambient air quality monitoring data. EPA issued final 2014–2016 design values on July 27, 2017. There is one PM<sub>2.5</sub> monitor in the Lebanon County Area. Table 1 shows the Lebanon County Area design value for the 2012 annual PM<sub>2.5</sub> NAAQS for the years 2014–2016 at the Lebanon County monitor.

Consistent with the requirements contained in 40 CFR part 50, EPA has reviewed the PM<sub>2.5</sub> ambient air quality monitoring data for the 2014–2016

<sup>1</sup> "Clean Data Policy for the Fine Particle National Ambient Air Quality Standards," Memorandum from Stephen D. Page, December 14, 2004.

monitoring period for the Lebanon County Area, as recorded in EPA's Air Quality System (AQS) database. This data can be found at <http://www.regulations.gov> in the docket for this action, Docket ID No. EPA-R03-OAR-2017-0479. As shown in Table 1, the data indicate a declining trend in PM<sub>2.5</sub> levels, with annual means decreasing steadily from 2014 to 2016.

As shown in Table 2, all but one quarter in 2014–2016 is complete, reporting data capture rates of at least 75%. The second quarter in 2015 had a data capture rate of 70%. However, EPA can calculate a valid design value for a monitor that doesn't meet the 75% capture rate each quarter, as long as there is at least 50% data capture in each quarter. In that case, EPA can perform a data substitution test, known as the maximum quarter test, pursuant to 40 CFR part 50, appendix N, section 4.1(c)(ii). EPA routinely performs this

test for monitors with deficient quarters (i.e., those with less than 75% but at least 50% data capture). EPA first identifies the highest reported daily value for that quarter, looking at that same quarter for all three years used to calculate the design value. EPA substitutes the highest reported daily PM<sub>2.5</sub> value for that quarter for all missing daily data in the deficient quarter to make that quarter 100% complete. Then, EPA calculates a test design value (TDV) for the three-year period. If that recalculated annual PM<sub>2.5</sub> design value is less than or equal to the level of the standard, then the annual PM<sub>2.5</sub> design value passes the test and is valid, and the annual PM<sub>2.5</sub> NAAQS is deemed to have been met in that 3-year period.

In this case, the second quarter in 2015 was deficient. The monitor recorded 64 out of the 91 possible daily values in that quarter, which included

April, May, and June of 2015. Therefore, EPA looked at data recorded at the Lebanon monitor in the second quarters of 2014, 2015, and 2016, and identified the highest daily value, which was 30.5 µg/m<sup>3</sup>. EPA substituted that value 27 times to account for the 27 missing daily values in 2017 and calculated a TDV of 11.7 µg/m<sup>3</sup> which is lower than the level of the 2012 PM<sub>2.5</sub> NAAQS. Therefore, the Lebanon County monitor passed the maximum quarter test, and has a valid design value for the 2014–2016 monitoring period. The certified annual design value for 2014–2016 is 11.2 µg/m<sup>3</sup>, which is below the 2012 annual primary PM<sub>2.5</sub> standard of 12 µg/m<sup>3</sup>. Therefore, the Lebanon County Area has attained the 2012 annual PM<sub>2.5</sub> NAAQS in accordance with the requirements in 40 CFR part 50, § 50.18 and appendix N.

TABLE 1—2014–2016 ANNUAL PM<sub>2.5</sub> VALUES FOR LEBANON COUNTY, PENNSYLVANIA

Monitor ID	Annual mean (µg/m <sup>3</sup> )			Complete quarters			2014–2016 Certified annual design value (µg/m <sup>3</sup> )
	2014	2015	2016	2014	2015	2016	
420750100 .....	12.73	11.15	9.72	4	3	4	11.2

TABLE 2—DATA CAPTURE RATES (%) AND CREDITABLE SAMPLES BY QUARTER (Q)

	2014				2015				2016			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Creditable Samples .....	89	89	90	84	90	64	76	85	91	91	91	92
Capture Rate .....	99	98	98	91	100	70	83	92	100	100	99	100

### III. Proposed Action

EPA is proposing to determine that the Lebanon County Area has attained the 2012 annual PM<sub>2.5</sub> NAAQS. As provided in 40 CFR 51.1015, finalization of this determination suspends the requirements for this area to submit an attainment demonstration, associated RACM, RFP plan, contingency measures, and any other planning SIP requirements related to the attainment of the 2012 PM<sub>2.5</sub> NAAQS, so long as this area continues to meet the standard. This determination of attainment does not constitute a redesignation to attainment. The Lebanon County Area will remain designated nonattainment for the 2012 annual PM<sub>2.5</sub> NAAQS until such time as EPA determines that the area meets the CAA requirements for redesignation to attainment, including an approved maintenance plan, pursuant to sections 107 and 175A of the CAA.

EPA is soliciting public comments on the issues discussed in this document. These comments will be considered before taking final action.

### IV. Statutory and Executive Order Reviews

This rulemaking action proposes to make a determination of attainment of the 2012 PM<sub>2.5</sub> NAAQS based on air quality and, if finalized, would not impose additional requirements. For that reason, this proposed determination of attainment:

- 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).

In addition, this proposed rule to determine that the Lebanon County Area attained the 2012 PM<sub>2.5</sub> NAAQS does not have tribal implications, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because this proposed determination of attainment does not apply in Indian country located in the states and because EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Particulate matter, Reporting and recordkeeping requirements.

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

Dated: October 19, 2017.

**Cosmo Servidio,**

*Regional Administrator, Region III.*

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**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R05-OAR-2017-0323; FRL-9970-16-Region 5]

#### Air Plan Approval; Illinois; Volatile Organic Compounds Definition

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

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing to approve a state submission as a revision to the Illinois state implementation plan (SIP) for ozone. The revision, submitted on May 30, 2017, incorporates changes to the Illinois Administrative Code definition of volatile organic material, otherwise known as volatile organic compounds (VOC). The revision removes recordkeeping and reporting requirements related to the use of t-butyl acetate (also known as tertiary butyl acetate) as a VOC, and is in response to an EPA rulemaking that occurred in 2016. Illinois also added information to provide clarity to the list of compounds excluded from the definition of VOC.

**DATES:** Comments must be received on or before December 4, 2017.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R05-OAR-2017-0323 at <http://www.regulations.gov> or via email to [blakley.pamela@epa.gov](mailto:blakley.pamela@epa.gov). For comments submitted at [Regulations.gov](http://www.regulations.gov), follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from [Regulations.gov](http://www.regulations.gov). For either manner of submission, 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, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. 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>.

#### FOR FURTHER INFORMATION CONTACT:

Charles Hatten, Environmental Engineer, Control Strategies Section, Air Programs Branch (AR-18)), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-6031, [hatten.charles@epa.gov](mailto:hatten.charles@epa.gov).

**SUPPLEMENTARY INFORMATION:** In the Final Rules section of this issue of the **Federal Register**, EPA is approving the Illinois's SIP submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this rule, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph,

or section of this rule, and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment. For additional information, see the direct final rule which is located in the Rules section of this issue of the **Federal Register**.

Dated: October 17, 2017.

**Robert A. Kaplan,**

*Acting Regional Administrator, Region 5.*

[FR Doc. 2017-23706 Filed 11-1-17; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R05-OAR-2007-1092; FRL-9969-65-Region 5]

#### Air Plan Approval; Michigan Minor New Source Review

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

**ACTION:** Proposed rule; reopening of the comment period.

**SUMMARY:** The Environmental Protection Agency (EPA) is reopening the comment period for a proposed Clean Air Act rule published August 15, 2017. Multiple commenters requested additional time to provide comments; therefore, EPA is reopening the comment period for 30 days.

**DATES:** Comments must be received on or before December 4, 2017.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R05-OAR-2007-1092 at <http://www.regulations.gov>, or via email to [damico.genvieve@epa.gov](mailto:damico.genvieve@epa.gov). For comments submitted at [Regulations.gov](http://www.regulations.gov), follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from [Regulations.gov](http://www.regulations.gov). For either manner of submission, 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