

**§ 558.625 [Amended]**

■ 39. In § 558.625, in paragraph (c), remove “556.740” and in its place add “556.746”.

**§ 558.630 [Amended]**

■ 40. In § 558.630, in paragraph (c), remove “556.740” and in its place add “556.746”.

Dated: June 20, 2019.

**Norman E. Sharpless,**

*Acting Commissioner of Food and Drugs.*

Dated: June 25, 2019.

**Eric D. Hargan,**

*Deputy Secretary, Department of Health and Human Services.*

[FR Doc. 2019-14098 Filed 7-10-19; 8:45 am]

**BILLING CODE 4164-01-P**

**DEPARTMENT OF THE TREASURY****Internal Revenue Service****26 CFR Part 1**

[TD 8179]

**Organizations Under Common Control; Eighty Percent Control Test for a Brother-Sister Controlled Group; Correcting Amendment**

**AGENCY:** Internal Revenue Service.

**ACTION:** Correcting amendment.

**SUMMARY:** This document contains a correction to Treasury Decision 8179, which was published in the **Federal Register** for Wednesday, March 2, 1988. Treasury Decision 8179 issued final regulations and withdrew temporary regulations relating to organizations under common control for purposes of certain rules relating to pension, profit-sharing, and stock bonus plans. Treasury Decision 8179 was corrected on May 9, 1988; however, the corrections were not properly incorporated into the Code of Federal Regulations.

**DATES:**

*Effective date.* This correction is effective on July 11, 2019.

*Applicability date:* March 2, 1988.

**FOR FURTHER INFORMATION CONTACT:** Dara Alderman at (202) 317-5500.

**SUPPLEMENTARY INFORMATION:****Background**

The final regulations (TD 8179) that are the subject of this correction are under section 52 of the Internal Revenue Code. Treasury Decision 8179 was corrected at 53 FR 16408, May 9, 1988; however, the Office of the Federal Register did not properly incorporate

the correction into the Code of Federal Regulations at that time.

**Need for Correction**

As published March 2, 1988 (53 FR 6603), the final regulations (TD 8179; FR Doc. 88-4451) contain an error that needed to be corrected. Treasury Decision 8179 was corrected at 53 FR 16408, May 9, 1988; however, the Office of the Federal Register did not properly incorporate the correction into the Code of Federal Regulations.

**Applicability of Correction**

Generally, the amendments to the regulations under section 52 of the Code (relating to tax credits for employees) apply to taxable years beginning after December 31, 1976. However, because the May 9, 1988 correction was not properly incorporated into the Code of Federal Regulations at the time of publication, with respect to taxable years that began prior to the Effective date, the Internal Revenue Service will not challenge the application of either published version of the regulation.

**List of Subjects in 26 CFR Part 1**

Income taxes, Reporting and recordkeeping requirements.

**Correction of Publication**

Accordingly, 26 CFR part 1 is corrected by making the following correcting amendment:

**PART 1—INCOME TAXES**

■ **Paragraph 1.** The authority citation for part 1 continues to read in part as follows:

**Authority:** 26 U.S.C. 7805 \* \* \*

**§ 1.52-1 [Amended]**

■ **Par. 2.** In § 1.52-1, paragraph (d)(1)(i) is amended by removing the language “§ 1.414(c)-4(b)(1)” and adding “§ 1.414(c)-4” in its place.

**Martin V. Franks,**

*Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration).*

[FR Doc. 2019-14424 Filed 7-10-19; 8:45 am]

**BILLING CODE 4830-01-P**

**DEPARTMENT OF THE TREASURY****Office of Foreign Assets Control****31 CFR Part 510****Technical Amendments to North Korea Sanctions Regulations***Correction*

In rule document 2019-13652, appearing on pages 30868 through 30870, in the issue of Friday, June 28, 2019 make the following correction:

On page 30869, in the first column, in the second paragraph, on the twelfth line, “§§” should read “sections”.

[FR Doc. C1-2019-13652 Filed 7-10-19; 8:45 am]

**BILLING CODE 1300-00-D**

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 52**

[EPA-R09-OAR-2018-0761; FRL-9996-38-Region 9]

**Air Plan Approval; Arizona; Regional Haze Progress Report**

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

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is approving Arizona’s Regional Haze Progress Report (“Progress Report” or “Report”), submitted on November 12, 2015, as a revision to its state implementation plan (SIP). This SIP revision addresses requirements of the Clean Air Act (CAA) and the EPA’s rules that require states to submit periodic reports describing progress toward reasonable progress goals (RPGs) established for regional haze and a determination of adequacy of the state’s existing regional haze plan. The EPA is approving the Report on the basis that it addresses the progress report and adequacy determination requirements for the first implementation period for regional haze.

**DATES:** This rule is effective on August 12, 2019.

**ADDRESSES:** The EPA has established a docket for this action under Docket ID No. EPA-R09-OAR-2018-0761. All documents in the docket are listed on the <https://www.regulations.gov> website. 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. Certain other material, such as

copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available at <https://www.regulations.gov>, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information.

**FOR FURTHER INFORMATION CONTACT:** Panah Stauffer, Air Planning Office (ARD-2), EPA Region IX, 75 Hawthorne Street, San Francisco, CA 94105, (415) 972-3247, [stauffer.panah@epa.gov](mailto:stauffer.panah@epa.gov).

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

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### I. Background Information

On March 27, 2019, the EPA published a notice of proposed rulemaking (NPRM) proposing to approve the Progress Report submitted by the Arizona Department of Environmental Quality (ADEQ) on November 12, 2015.<sup>1</sup> A detailed discussion of the Report and the EPA’s rationale for approving the SIP revision is provided in the NPRM and will not be restated here.

### II. Public Comment

The EPA’s proposed action provided a 30-day public comment period. During this period, we received no comments.

### III. Final Action

The EPA is approving the Progress Report, submitted by ADEQ on November 12, 2015, as meeting the applicable requirements of the CAA and the federal Regional Haze Rule, as set forth in 40 CFR 51.308(g), as a revision to the Arizona SIP. The EPA is approving Arizona’s determination that the existing regional haze plan is adequate to meet the state’s visibility goals and requires no substantive revision at this time, as set forth in 40 CFR 51.308(h).

We have also determined that Arizona fulfilled the requirements in 40 CFR 51.308(i) regarding state coordination with federal land managers.

### 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. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the 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);

- is not an Executive Order 13771 regulatory action because this action is not significant under Executive Order 12866;

- 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 the 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, the SIP is not approved to apply on any Indian reservation land or in any other area where the 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 and will not impose substantial direct costs on tribal governments or preempt tribal law as

specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

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. The 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 9, 2019. 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. 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, Nitrogen dioxide, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Visibility, Volatile organic compounds.

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

Dated: June 27, 2019.

**Deborah Jordan,**

*Acting Regional Administrator, EPA Region IX.*

Part 52, chapter I, title 40 of the Code of Federal Regulations 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.*

<sup>1</sup> 84 FR 11455.

**Subpart D—Arizona**

■ 2. In § 52.120 (e), amend Table 1 by adding an entry for “Arizona State Implementation Plan Revision: Regional Haze 5-Year Progress Report” before the

entry for “Arizona State Implementation Plan Revision under Clean Air Act Section 110(a)(1) and (2); Implementation of the 2008 Lead National Ambient Air Quality Standards, excluding the appendices.”

The addition reads as follows:

**§ 52.120 Identification of plan.**  
\* \* \* \* \*  
(e) \* \* \*

**TABLE 1—EPA-APPROVED NON-REGULATORY AND QUASI-REGULATORY MEASURES**  
[Excluding certain resolutions and statutes, which are listed in tables 2 and 3, respectively]<sup>1</sup>

Name of SIP provision	Applicable geographic or nonattainment area or title/subject	State submittal date	EPA approval date	Explanation
<b>The State of Arizona Air Pollution Control Implementation Plan Clean Air Act Section 110(a)(2) State Implementation Plan Elements (Excluding Part D Elements and Plans)</b>				
*	*	*	*	*
Arizona State Implementation Plan Revision: Regional Haze 5-Year Progress Report, excluding Appendix A-Public Process.	State-wide .....	November 12, 2015 ..	July 11, 2019, [Insert <b>Federal Register</b> Citation].	
*	*	*	*	*

<sup>1</sup> Table 1 is divided into three parts: Clean Air Act Section 110(a)(2) State Implementation Plan Elements (excluding Part D Elements and Plans), Part D Elements and Plans (other than for the Metropolitan Phoenix or Tucson Areas), and Part D Elements and Plans for the Metropolitan Phoenix and Tucson Areas.

\* \* \* \* \*  
■ 3. Section 52.145 is amended by adding paragraph (n) to read as follows:

**§ 52.145 Visibility protection.**

(n) *Approval.* On November 12, 2015, the Arizona Department of Environmental Quality submitted the “Arizona State Implementation Plan Revision: Regional Haze 5-Year Progress Report” (“Progress Report”). The Progress Report meets the requirements of the Regional Haze Rule in 40 CFR 51.308.

[FR Doc. 2019-14692 Filed 7-10-19; 8:45 a.m.]  
**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[EPA-R04-OAR-2018-0807; FRL-9996-24-Region 4]

**Air Plan Approval; Kentucky: Jefferson County Existing and New VOC Water Separators Rule Revision**

**AGENCY:** Environmental Protection Agency (EPA).  
**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is taking final action to approve two revisions to the Jefferson County portion of the Kentucky State Implementation Plan (SIP), submitted by the Commonwealth of Kentucky, through the Kentucky Division of Air

Quality (KDAQ), through a letter dated March 15, 2018. The changes were submitted by KDAQ on behalf of the Louisville Metro Air Pollution Control District (LMAPCD) (also referred to herein as Jefferson County) and make minor ministerial amendments to applicability dates and clarify standards applicable to both existing and new volatile organic compounds (VOC) water separators. EPA is approving these changes because they are consistent with the Clean Air Act (CAA or Act).

**DATES:** This rule will be effective August 12, 2019.

**ADDRESSES:** EPA has established a docket for this action under Docket ID No. EPA-R04-OAR-2018-0609. All documents in the docket are listed on the [www.regulations.gov](http://www.regulations.gov) website. Although listed in the index, some information is not publicly available, *i.e.*, Confidential Business Information or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically through [www.regulations.gov](http://www.regulations.gov) or in hard copy at the Air Regulatory Management Section, Air Planning and Implementation Branch, Air and Radiation Division (formerly the Air, Pesticides and Toxics Management Division), U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW, Atlanta,

Georgia 30303-8960. EPA requests that if at all possible, you contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office’s official hours of business are Monday through Friday 8:30 a.m. to 4:30 p.m., excluding Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Evan Adams of the Air Regulatory Management Section, Air Planning and Implementation Branch, Air and Radiation Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW, Atlanta, Georgia 30303-8960. The telephone number is (404) 562-9009. Mr. Adams can also be reached via electronic mail at [adams.evan@epa.gov](mailto:adams.evan@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

EPA is taking final action to approve changes to the Jefferson County portion of the Kentucky SIP that were provided to EPA through a letter dated March 15, 2018.<sup>1</sup> EPA is finalizing approval of the portions of these SIP revisions that make changes to the District’s Regulation 6.26, *Standards of Performance for Existing Volatile Organic Compound Water Separators*, and Regulation 7.36, *Standards of Performance for New Volatile Organic Compound Water Separators*.<sup>2</sup> The

<sup>1</sup> EPA notes that the Agency received the SIP revision on March 23, 2018.  
<sup>2</sup> EPA also notes that the Agency received several other revisions to the Jefferson County portion of the Kentucky SIP submitted with the same March