

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 Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by November 25, 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, Ozone, Volatile organic compounds.

Dated: September 16, 2019.

David Gray,

Acting Regional Administrator, Region 6.

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 SS—Texas

##### § 52.2270 [Amended]

■ 2. In § 52.2270, the table in paragraph (c) is amended by removing the entry for “Section 114.86” under “Chapter 114 (Reg 4)—Control of Air Pollution from Motor Vehicles.”

[FR Doc. 2019–20313 Filed 9–24–19; 8:45 am]

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#### ENVIRONMENTAL PROTECTION AGENCY

##### 40 CFR Part 70

[EPA–R05–OAR–2018–0285; FRL–10000–39–Region 5]

#### Air Plan Approval; Wisconsin; Title V Operation Permit Program; 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 July 31, 2019 direct final rule approving updates and revisions to the Wisconsin Title V Operating Permit Program. The revisions were submitted to update the title V program for the first time since the final approval of the program in 2001 and to change the permit fee schedule for subject facilities. The revisions consist of amendments to Chapter Natural Resources (NR) 407 Wisconsin Administrative Code, operation permits, Chapter NR 410 Wisconsin Administrative Code, permit fees, and Wisconsin statute 285.69, fee structure.

**DATES:** The direct final rule published at 84 FR 37104 on July 31, 2019, is withdrawn effective September 25, 2019.

#### FOR FURTHER INFORMATION CONTACT:

Susan Kraj, Environmental Engineer, Air Permits Section, Air Programs Branch (AR–18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353–2654, [kraj.susan@epa.gov](mailto:kraj.susan@epa.gov).

**SUPPLEMENTARY INFORMATION:** In the direct final rule, EPA stated that if adverse comments were submitted by August 30, 2019, the rule would be withdrawn and not take effect. EPA received an adverse comment prior to the close of the comment period and, therefore, is withdrawing the direct final rule. EPA will address the comment in a subsequent final action based upon the proposed action also published on July 31, 2019 (84 FR 37194). EPA will not institute a second comment period on this action.

#### List of Subjects in 40 CFR Part 70

Environmental protection, Administrative practice and procedure, Air pollution control, Intergovernmental relations, Operation permits, Reporting and recordkeeping requirements.

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

Dated: September 11, 2019.

Cheryl L. Newton,

Acting Regional Administrator, Region 5.

#### PART 70—STATE OPERATING PERMIT PROGRAMS

■ Accordingly, the amendment to appendix A to part 70 published in the **Federal Register** on July 31, 2019, (84 FR 37104) on page 37107 is withdrawn effective September 25, 2019.

[FR Doc. 2019–20863 Filed 9–24–19; 8:45 am]

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#### ENVIRONMENTAL PROTECTION AGENCY

##### 40 CFR Part 300

[EPA–HQ–SFUND–1989–0011; FRL–10000–36–Region 3]

#### National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Partial Deletion of the Novak Sanitary Landfill Superfund Site

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) Region 3 announces the partial deletion of the Novak Sanitary Landfill Superfund Site (Site) located in South Whitehall Township, Pennsylvania, from the National Priorities List (NPL). The NPL, promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended, is an appendix of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). The EPA and the Commonwealth of Pennsylvania, through the Pennsylvania Department of Environmental Protection (PADEP), have determined that all appropriate response actions to address the groundwater portion of the Site, other than monitoring, operations and maintenance, and Five-Year Reviews (FYRs), have been completed. However, this deletion does not preclude future actions under Superfund. This partial deletion pertains only to the groundwater portion of the Site. The landfill and landfill gas components of the Site will remain on the NPL and are not being considered for deletion as part of this action.

**DATES:** This action is effective September 25, 2019.

**ADDRESSES:** *Docket:* EPA has established a docket for this action under Docket Identification No. EPA–HQ–SFUND–

1989–0011. All documents in the docket are listed on the <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 <http://www.regulations.gov> or in hard copy at the site information repositories. Locations, contacts, phone numbers and viewing hours are:

USEPA Region III Administrative Records Room, 1650 Arch Street—6th Floor, Philadelphia, Pennsylvania 19103–2029, 215–814–3157. Business Hours: Monday through Friday, 8:00 a.m.–4:30 p.m.; by appointment only. Local Repository: Parkland Community Library, 4422 Walbert Avenue, Allentown, Pennsylvania 18104, 610–398–1361. Business Hours: Monday through Thursday 9 a.m.–9 p.m.; Friday 9 a.m.–6 p.m.; Saturday 9 a.m.–1 p.m.; closed Sunday.

**FOR FURTHER INFORMATION CONTACT:** Rombel Arquines, Remedial Project

Manager, U.S. Environmental Protection Agency, Region III, (3SD21), 1650 Arch Street, Philadelphia, PA 19103, 215–814–3182, email [arquines.rombel@epa.gov](mailto:arquines.rombel@epa.gov).

**SUPPLEMENTARY INFORMATION:** The portion of the site to be deleted from the NPL is the groundwater of the Novak Sanitary Landfill Superfund Site, South Whitehall Township, Lehigh County, Pennsylvania. A Notice of Intent for Partial Deletion for this Site was published in the **Federal Register** (84 FR 38905) on August 8, 2019.

The closing date for comments on the Notice of Intent for Partial Deletion was September 9, 2019. No public comments were received.

EPA maintains the NPL as the list of sites that appear to present a significant risk to public health, welfare, or the environment. Deletion from the NPL does not preclude further remedial action. Whenever there is a significant release from a site deleted from the NPL, the deleted site may be restored to the NPL without application of the hazard ranking system. Deletion of a site from the NPL does not affect responsible party liability in the unlikely event that future conditions warrant further actions.

**List of Subjects in 40 CFR Part 300**

Environmental protection, Air pollution control, Chemicals, Hazardous waste, Hazardous substances, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Dated: September 17, 2019.

**Cosmo Servidio**,  
Regional Administrator, Region III.

For reasons set out in the preamble, 40 CFR part 300 is amended as follows:

**PART 300—NATIONAL OIL AND HAZARDOUS SUBSTANCES POLLUTION CONTINGENCY PLAN**

■ 1. The authority citation for part 300 continues to read as follows:

**Authority:** 33 U.S.C. 1321(d); 42 U.S.C. 9601–9657; E.O. 13626, 77 FR 56749, 3 CFR, 2013 Comp., p. 306; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p. 193.

■ 2. Table 1 of appendix B to part 300 is amended by revising the entry for “PA, Novak Sanitary Landfill” to read as follows:

**Appendix B to Part 300—National Priorities List**

TABLE 1—GENERAL SUPERFUND SECTION

State	Site name	City/county	Notes <sup>a</sup>
PA	Novak Sanitary Landfill	South Whitehall Township	P

<sup>a</sup>=Based on issuance of health advisory by Agency for Toxic Substances and Disease Registry (if scored, HRS score need not be greater than or equal to 28.50).

P = Sites with partial deletion(s).

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[FR Doc. 2019–20681 Filed 9–24–19; 8:45 am]  
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**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Centers for Medicare & Medicaid Services**

**42 CFR Part 447**

[CMS–2394–F]

RIN 0938–AS63

**Medicaid Program; State Disproportionate Share Hospital Allotment Reductions**

**AGENCY:** Centers for Medicare & Medicaid Services (CMS), HHS.

**ACTION:** Final rule.

**SUMMARY:** The statute requires aggregate reductions to state Medicaid Disproportionate Share Hospital (DSH)

allotments annually beginning with fiscal year (FY) 2020. This final rule delineates the methodology to implement the annual allotment reductions.

**DATES:** These regulations are effective on November 25, 2019.

**FOR FURTHER INFORMATION CONTACT:** Stuart Goldstein, (410) 786–0694 and Richard Cuno, (410) 786–1111.

**SUPPLEMENTARY INFORMATION:**

**I. Executive Summary**

*A. Purpose*

Section 2551 of the Patient Protection and Affordable Care Act of 2010 (*Pub. L. 111–148, enacted March 23, 2010*), as amended by the Health Care and Education Reconciliation Act of 2010 (*Pub. L. 111–152, enacted March 30,*