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**Program Authority:** 20 U.S.C. 1098a.

Dated: September 13, 2013.

**Lynn B. Mahaffie,**

*Acting Deputy Assistant Secretary for Policy, Planning, and Innovation, delegated the authority to perform the functions and duties of the Assistant Secretary for Postsecondary Education.*

[FR Doc. 2013-22868 Filed 9-18-13; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R08-OAR-2012-0475; FRL-9901-05-Region 8]

#### Approval and Promulgation of Air Quality Implementation Plans; State of Colorado Second Ten-Year PM<sub>10</sub> Maintenance Plan for Aspen

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing approval of the State Implementation Plan (SIP) revisions submitted by the State of Colorado. On May 25, 2011, the Governor of Colorado's designee submitted to EPA a revised maintenance plan for the Aspen area for the National Ambient Air Quality Standards (NAAQS) for particulate matter with an aerodynamic diameter less than or equal to 10 microns (PM<sub>10</sub>), which was adopted by the State on December 16, 2010. As required by Clean Air Act (CAA) section 175A(b), this revised maintenance plan addresses

maintenance of the PM<sub>10</sub> standard for a second 10-year period beyond the area's original redesignation to attainment for the PM<sub>10</sub> NAAQS. In addition, EPA is proposing approval of the revised maintenance plan's 2023 transportation conformity motor vehicle emissions budget for PM<sub>10</sub>. This action is being taken under sections 110 and 175A of the CAA.

**DATES:** Written comments must be received on or before October 21, 2013.

**ADDRESSES:** Submit your comments, identified by Docket number EPA-R08-OAR-2012-0475, by one of the following methods:

- <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

- *Email:* [ostigaard.crystal@epa.gov](mailto:ostigaard.crystal@epa.gov).

- *Fax:* (303) 312-6064 (please alert the individual listed in the **FOR FURTHER INFORMATION CONTACT** if you are faxing comments).

- *Mail:* Carl Daly, Director, Air Program, U.S. Environmental Protection Agency (EPA), Region 8, Mailcode 8P-AR, 1595 Wynkoop Street, Denver, Colorado 80202-1129.

- *Hand Delivery:* Carl Daly, Director, Air Program, U.S. Environmental Protection Agency (EPA), Region 8, Mailcode 8P-AR, 1595 Wynkoop Street, Denver, Colorado 80202-1129. Such deliveries are only accepted Monday through Friday, 8:00 a.m. to 4:30 p.m., excluding Federal holidays. Special arrangements should be made for deliveries of boxed information.

Please see the direct final rule, which is located in the Rules section of this **Federal Register** for detailed instruction on how to submit comments.

**FOR FURTHER INFORMATION CONTACT:** Crystal Ostigaard, Air Program, U.S. Environmental Protection Agency, Region 8, Mailcode 8P-AR, 1595 Wynkoop Street, Denver, Colorado 80202-1129, (303) 312-6602, [ostigaard.crystal@epa.gov](mailto:ostigaard.crystal@epa.gov).

**SUPPLEMENTARY INFORMATION:** In the Rules section of this **Federal Register**, EPA is approving the State's SIP revision through a direct final rule without prior proposal because the Agency views this as a noncontroversial SIP revision and anticipates no adverse comments. A detailed rationale for the approval is set forth in the preamble to the direct final rule. If EPA receives no adverse comments, EPA will not take further action on this proposed rule. If EPA receives adverse comments, EPA will withdraw the direct final rule and it will not take effect. Then, EPA will address all public comments in a subsequent final rule based on this proposed rule. EPA will not institute a

second comment period on this action. Any parties interested in commenting must 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. See the information provided in the Direct Final action of the same title which is located in the Rules section of this **Federal Register**.

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

Dated: August 28, 2013.

**Shaun L. McGrath,**

*Regional Administrator, Region 8.*

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R03-OAR-2010-0141; FRL-9901-16-Region 3]

#### Approval and Promulgation of Air Quality Implementation Plans; Delaware; Attainment Plan for the Philadelphia-Wilmington, Pennsylvania-New Jersey-Delaware Nonattainment Area for the 1997 Annual Fine Particulate Matter Standard

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

**ACTION:** Proposed Rule; Supplemental.

**SUMMARY:** EPA is issuing a supplement to its proposed approval of Delaware's state implementation plan (SIP) published in the **Federal Register** on November 19, 2012. The SIP revision demonstrates Delaware's attainment of the 1997 annual fine particulate matter (PM<sub>2.5</sub>) national ambient air quality standard (NAAQS) for the Philadelphia-Wilmington, Pennsylvania-New Jersey-Delaware (PA-NJ-DE) PM<sub>2.5</sub> nonattainment area. This supplemental proposal addresses the potential effects of a January 4, 2013 decision of the United States Court of Appeals for the District of Columbia Circuit (DC Circuit Court) remanding to EPA two final rules implementing the 1997 PM<sub>2.5</sub> NAAQS on EPA's proposed action. In addition, EPA is revising its proposed approval of Delaware's attainment plan for the 1997 annual PM<sub>2.5</sub> NAAQS to not rely upon regulations which were part of the plan submitted by Delaware because they are not necessary to demonstrate attainment. Finally, EPA is proposing to approve the 2009 and 2012 motor