

*Postal Mail, Commercial Delivery, or Hand Delivery:* The Department strongly encourages commenters to submit their comments electronically. However, if you mail or deliver your comments in response to this request, address them to Hilary Malawer, 400 Maryland Avenue SW., Room 6E231, Washington, DC 20202.

**Privacy Note:** The Department's policy is to make all comments received from members of the public available for public viewing in their entirety on the Federal eRulemaking Portal at [www.regulations.gov](http://www.regulations.gov). Therefore, commenters should be careful to include in their comments only information that they wish to make publicly available.

**FOR FURTHER INFORMATION CONTACT:** For further information on this document, please contact Hilary Malawer, Assistant General Counsel, Office of the General Counsel, U.S. Department of Education, 400 Maryland Avenue SW., Room 6E231, Washington, DC 20202. Telephone: (202) 401-6148 or by email: [Hilary.Malawer@ed.gov](mailto:Hilary.Malawer@ed.gov).

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay Service (FRS), toll free, at 1-800-877-8339.

**SUPPLEMENTARY INFORMATION:**

On February 24, 2017, President Trump signed Executive Order 13777, "Enforcing the Regulatory Reform Agenda," which established a Federal policy "to alleviate unnecessary regulatory burdens" on the American people. Section 3(a) of the Executive Order directs Federal agencies to establish a Regulatory Reform Task Force (Task Force). One of the duties of the Task Force is to evaluate existing regulations and "make recommendations to the agency head regarding their repeal, replacement, or modification." The Executive Order further asks that each Task Force "attempt to identify regulations that:

- (i) Eliminate jobs, or inhibit job creation;
- (ii) Are outdated, unnecessary, or ineffective;
- (iii) Impose costs that exceed benefits;
- (iv) Create a serious inconsistency or otherwise interfere with regulatory reform initiatives and policies;
- (v) Are inconsistent with the requirements of section 515 of the Treasury and General Government Appropriations Act, 2001 (44 U.S.C. 3516 note), or the guidance issued pursuant to that provision, in particular those regulations that rely in whole or in part on data, information, or methods that are not publicly available or that are insufficiently transparent to meet the standard for reproducibility; or

- (vi) Derive from or implement Executive Orders or other Presidential directives that have been subsequently rescinded or substantially modified."

Section 3(e) of the Executive order calls on the Task Force to "seek input and other assistance, as permitted by law, from entities significantly affected by Federal regulations, including State, local, and tribal governments, small businesses, consumers, non-governmental organizations, and trade associations" on regulations that meet some or all of the criteria above. A "regulation" for this purpose "means an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy or to describe the procedure or practice requirements of an agency . . . ." See Executive Order 13771, section 4.

Through this announcement, the Department is soliciting such input from the public to inform its Task Force's evaluation of existing regulations and guidance that have a policy impact. The Department's regulations are codified in subtitles A and B of title 34 of the Code of Federal Regulations (CFR), which are available in electronic format at [www.ecfr.gov/cgi-bin/text-idx?SID=0717200349ac02b730b4600ba4a5ed05&mc=true&tpl=/ecfrbrowse/Title34/34tab\\_02.tpl](http://www.ecfr.gov/cgi-bin/text-idx?SID=0717200349ac02b730b4600ba4a5ed05&mc=true&tpl=/ecfrbrowse/Title34/34tab_02.tpl). A list of the Department's significant guidance documents is available at [www2.ed.gov/policy/gen/guid/significant-guidance.html](http://www2.ed.gov/policy/gen/guid/significant-guidance.html). Other Department guidance may be accessed at [www.ed.gov](http://www.ed.gov) by program office. The Department requests that commenters be as specific as possible by: Providing a **Federal Register** (FR) or CFR citation when referencing a specific regulation or, where practicable, a link when referencing a particular guidance document; including any supporting data or other applicable information; providing specific suggestions regarding repeal, replacement, or modification; and explaining with specificity why the referenced regulation or guidance should be repealed, replaced, or modified. Wherever possible, please list the citations to the specific regulatory sections or titles of guidance documents to which your comments pertain in a subject line or otherwise at the beginning of your comments. We are particularly interested in regulatory provisions that you find unduly costly or unnecessarily burdensome. Although we will not respond to individual comments, the Department values public feedback and will give careful consideration to all input that we receive. Individual program offices of the Department will also be conducting outreach on this same topic.

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Dated: June 19, 2017.

**Betsy DeVos,**

*Secretary of Education.*

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R03-OAR-2017-0152; FRL-9963-81-Region 1]

#### **Air Plan Approval; Delaware; Infrastructure Requirements for the 2012 Fine Particulate Matter Standard; Extension of Comment Period; Availability of Data**

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

**ACTION:** Proposed rule; extension of comment period; availability of supplemental information.

**SUMMARY:** The Environmental Protection Agency (EPA) is extending the comment period for a proposed rule published on June 1, 2017. In the June 1, 2017 proposed rule, EPA proposed to approve portions of the State of Delaware's December 14, 2015 state implementation plan (SIP) submittal to address the infrastructure requirements for the 2012 fine particulate matter (PM<sub>2.5</sub>) national ambient air quality standards (NAAQS). EPA is extending the comment period due to erroneously

omitting the technical support document (TSD) in the docket. This proposed rule corrects this omission and provides notice of the availability of the TSD which supports EPA's analysis. All comments received on or before July 24, 2017 will be entered into the public record and considered by EPA before taking final action on the proposed rule. Comments submitted between the close of the original comment period and the re-opening of this comment period will be accepted and considered.

**DATES:** Written comments must be received on or before July 24, 2017.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R03-OAR-2017-0152 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://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:** Gavin Huang, (215) 814-2042, or by email at [huang.gavin@epa.gov](mailto:huang.gavin@epa.gov).

**SUPPLEMENTARY INFORMATION:** On June 1, 2017, EPA published in the **Federal Register** a proposal to approve portions of the State of Delaware's SIP submittal to address the infrastructure requirements for the 2012 PM<sub>2.5</sub> NAAQS. 82 FR 25211. Comments on the proposed rule were required to be received by July 3, 2017. We are extending the comment period until July 24, 2017. This action will allow interested persons additional time to prepare and submit comments. EPA is also announcing the availability in the

docket of the TSD EPA prepared for this proposed rulemaking which includes EPA's analysis supporting approval of portions of Delaware's December 14, 2015 infrastructure SIP submission for the 2012 PM<sub>2.5</sub> NAAQS. The TSD is available in the docket for this rulemaking and online at [www.regulations.gov](http://www.regulations.gov).

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

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

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

Dated: June 8, 2017

**Cecil Rodrigues,**

*Acting Regional Administrator, Region III.*

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**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R09-OAR-2017-0271; FRL-9963-79-Region 9]

#### Approval and Promulgation of Air Quality Implementation Plans; Nevada; Rescission of Visibility Protection Federal Implementation Plan for the Mohave Generating Station

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

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing to rescind the visibility protection federal implementation plan (FIP) that we promulgated on February 8, 2002, to regulate air pollutant emissions from the Mohave Generating Station (MGS), located in Clark County, Nevada. The EPA is proposing this action in response to the Nevada Division of Environmental Protection's (NDEP) request dated March 25, 2016. The request seeks rescission of the FIP because MGS had been decommissioned and demolished, as demonstrated by the supporting documentation provided by the NDEP.

**DATES:** Any comments on this proposal must arrive by August 7, 2017. Requests for public hearing must be received on or before July 7, 2017.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA-R09-OAR-2017-0271, at <http://www.regulations.gov>, or via email to [viswanathan.krishna@epa.gov](mailto:viswanathan.krishna@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, the 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. The 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 EPA's full 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:** Krishna Viswanathan, EPA Region IX, (520) 999-7880, [viswanathan.krishna@epa.gov](mailto:viswanathan.krishna@epa.gov).

**SUPPLEMENTARY INFORMATION:** Throughout this document, "we," "us" and "our" refer to the EPA.

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#### I. Background

The EPA promulgated a revision to the long-term strategy of the Nevada Visibility FIP on February 8, 2002, to regulate air pollutant emissions from MGS ("MGS FIP").<sup>1</sup> The requirements of the MGS FIP were based on a consent decree between the owners of MGS and the Grand Canyon Trust, the Sierra Club, and the National Parks Conservation Association. The MGS FIP addressed concerns raised by the Department of Interior regarding MGS's contribution to visibility impairment at the Grand Canyon National Park due to sulfur dioxide emissions.

On December 31, 2005, MGS ceased operations. On June 10, 2009, the owners of MGS announced their decision to decommission and

<sup>1</sup> 40 CFR 52.1488(d). See also 67 FR 6130 (February 8, 2002) (final rule) and 65 FR 45003 (July 20, 2000) (proposed rule).