

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

[EPA-R03-OAR-2016-0592; FRL-9971-41-Region 3]

**Approval and Promulgation of Air Quality Implementation Plans; Virginia; Amendment to Ambient Air Quality Standard for Ozone; Withdrawal****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Withdrawal of direct final rule.

**SUMMARY:** Due to adverse comments received, the Environmental Protection Agency (EPA) is withdrawing the October 16, 2017 direct final rule that approved a state implementation plan (SIP) revision submitted by the Commonwealth of Virginia to incorporate by reference the most recent federal ambient air quality standard for ozone into Virginia's SIP. EPA stated in the direct final rule that if EPA received adverse comments by November 15, 2017, the rule would be withdrawn and not take effect. EPA subsequently received adverse comments. EPA will address comments received in a subsequent final action based upon the proposed rulemaking action, also published on October 16, 2017. EPA will not institute a second comment period on this action.

**DATES:** The direct final rule published at 82 FR 47985 on October 16, 2017 is withdrawn as of December 7, 2017.

**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 July 25, 2016, the Commonwealth of Virginia through the Virginia Department of Environmental Quality (VADEQ) submitted a formal revision to its SIP. The SIP revision sought to incorporate the 2015 ozone national ambient air quality standards (NAAQS) promulgated by EPA on October 26, 2015 (80 FR 65292) into the Virginia SIP. In the direct final rule published on October 16, 2017 (82 FR 47985), EPA stated that if EPA received adverse comments by November 15, 2017, the rule would be withdrawn and not take effect. EPA subsequently received adverse comments from anonymous commenters.

Because adverse comments were received, EPA is withdrawing the direct final rule approving the revisions to the Virginia SIP that incorporates the 2015 ozone NAAQS promulgated by EPA on October 16, 2017 (82 FR 47985). EPA will respond to the adverse comments in a separate final rulemaking action.

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

Environmental protection, Air pollution control, Incorporation by reference, Ozone.

Dated: November 17, 2017.

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

■ Accordingly, the amendment to § 52.2420(c) published on October 16, 2017 (82 FR 47985), which was to become effective December 15, 2017, is withdrawn as of December 7, 2017.

[FR Doc. 2017-26303 Filed 12-6-17; 8:45 am]

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[EPA-R06-OAR-2017-0192; FRL-9971-04-Region 6]

**Approval and Promulgation of Implementation Plans; Texas; Revisions to Emissions Banking and Trading Programs for Area and Mobile Sources****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final rule.

**SUMMARY:** Pursuant to the Federal Clean Air Act (CAA or the Act), the Environmental Protection Agency (EPA) is approving revisions to the Texas State Implementation Plan (SIP) Emissions Banking and Trading Programs submitted on October 10, 2017. Specifically, we are approving revisions that clarify and expand the existing provisions for the generation and use of emission credits from area and mobile sources.

**DATES:** This rule is effective on January 8, 2018.

**ADDRESSES:** The EPA has established a docket for this action under Docket ID No. EPA-R06-OAR-2017-0192. All documents in the docket are listed on the <http://www.regulations.gov> Web site. Although listed in the index, some information is not publicly available, e.g., 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 EPA Region 6, 1445 Ross Avenue, Suite 700, Dallas, Texas 75202-2733.

**FOR FURTHER INFORMATION CONTACT:**Adina Wiley, 214-665-2115, [wiley.adina@epa.gov](mailto:wiley.adina@epa.gov).**SUPPLEMENTARY INFORMATION:**

Throughout this document "we," "us," and "our" means the EPA.

**I. Background**

The background for this action is discussed in detail in our June 8, 2017 proposal (82 FR 26634). In that document we proposed to approve via parallel processing the proposed revisions to the Texas Emissions Banking and Trading Programs for the generation and use of emission credits from area and mobile sources. We preliminarily determined that the proposed revisions were consistent with the CAA and the EPA's regulations and guidance for emissions trading.

Under the EPA's "parallel processing" procedure, the EPA proposes a rulemaking action on a proposed SIP revision concurrently with the State's public review process. If the State's proposed SIP revision is not significantly changed, the EPA will finalize the rulemaking on the SIP revision as proposed after responding to any submitted comments. Final rulemaking action by the EPA will occur only after the final SIP revision has been fully adopted by the TCEQ and submitted formally to the EPA for approval as a revision to the Texas SIP. See 40 CFR part 51, Appendix V.

The TCEQ completed their state rulemaking process and adopted revisions on September 20, 2017. The TCEQ submitted these adopted changes as a revision to the Texas SIP on October 10, 2017. The EPA has evaluated the State's final SIP revision for any changes made from the time of proposal. Our evaluation indicates that the TCEQ made two types of revisions at adoption. First, the TCEQ made several non-substantive revisions to correct grammar, internal cross-references, and citations consistent with the *Texas Register* formatting guidance. The EPA has evaluated these non-substantive revisions and determined that they do not make any material changes to the regulations we proposed to approve. The TCEQ also made several substantive revisions at adoption that the EPA has evaluated and classified as logical outgrowth from our proposal. The EPA's evaluation of the adopted revisions is included in the "Addendum to the Technical Support Document" for EPA-R06-OAR-2017-0192, available in the rulemaking docket.

The EPA is proceeding with our final approval of the October 10, 2017, revisions to the Texas SIP, consistent with the parallel processing provisions