

This action implements a procedural change to the title of the designated NEPA Official under existing regulations.

#### *L. Congressional Review Act*

This rule is exempt from the CRA because it is a rule relating to agency management or personnel.

#### **List of Subjects in 40 CFR Part 6**

Environmental protection, Environmental impact statements, Foreign relations, Grant programs, Reporting and recordkeeping requirements, Waste treatment and disposal.

Dated: September 13, 2018.

**Andrew R. Wheeler,**  
*Acting Administrator.*

For the reasons set forth in the preamble, the Environmental Protection Agency amends 40 CFR part 6 as follows:

### **PART 6—PROCEDURES FOR IMPLEMENTING THE NATIONAL ENVIRONMENTAL POLICY ACT AND ASSESSING THE ENVIRONMENTAL EFFECTS ABROAD OF EPA ACTIONS**

■ 1. The authority citation for part 6 is revised to read as follows:

**Authority:** 42 U.S.C. 4321 *et seq.*; also 40 CFR parts 1500 through 1508, unless otherwise noted.

■ 2. Section 6.102 is amended by revising paragraph (b)(8) to read as follows:

#### **§ 6.102 Definitions.**

\* \* \* \* \*

(b) \* \* \*

(8) *NEPA Official* is the Associate Administrator for the Office of Policy, who is responsible for EPA's NEPA compliance.

\* \* \* \* \*

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### **ENVIRONMENTAL PROTECTION AGENCY**

#### **40 CFR Parts 9 and 721**

[EPA-HQ-OPPT-2017-0366; FRL-9983-72]

RIN 2070-AB27

### **Significant New Use Rules on Certain Chemical Substances; Withdrawal**

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

**ACTION:** Withdrawal of direct final rule.

**SUMMARY:** EPA is withdrawing significant new use rules (SNURs)

promulgated under the Toxic Substances Control Act (TSCA) for 145 chemical substances, which were the subjects of premanufacture notices (PMNs). EPA published these SNURs using direct final rulemaking procedures, which requires EPA to take certain actions if an adverse comment is received. EPA received adverse comments regarding the SNURs identified in this document. Therefore, the Agency is withdrawing the direct final rule SNURs identified in this document, as required under the direct final rulemaking procedures.

**DATES:** The direct final rule published at 83 FR 37702 on August 1, 2018, is withdrawn effective September 26, 2018.

**ADDRESSES:** The docket for this action, identified by docket identification (ID) number EPA-HQ-OPPT-2017-0366, is available at <http://www.regulations.gov> or at the Office of Pollution Prevention and Toxics Docket (OPPT Docket), Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW, Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OPPT Docket is (202) 566-0280. Please review the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

#### **FOR FURTHER INFORMATION CONTACT:**

*For technical information contact:* Kenneth Moss, Chemical Control Division (7405M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; telephone number: (202) 564-9232; email address: [moss.kenneth@epa.gov](mailto:moss.kenneth@epa.gov).

*For general information contact:* The TSCA-Hotline, ABVI-Goodwill, 422 South Clinton Ave., Rochester, NY 14620; telephone number: (202) 554-1404; email address: [TSCA-Hotline@epa.gov](mailto:TSCA-Hotline@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Does this action apply to me?**

The list of potentially affected entities is provided in the **Federal Register** of August 1, 2018 (83 FR 37702) (FRL-9970-23). If you have questions regarding the applicability of this action to a particular entity, consult the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

## **II. What direct final SNURs are being withdrawn?**

In the **Federal Register** of August 1, 2018 (83 FR 37702), EPA issued direct final SNURs for all 145 chemical substances that are identified in this document. Because the Agency received adverse comments that relate to each of the 145 chemical substances, EPA is withdrawing the direct final SNURs issued for these 145 chemical substances. In addition to the Direct Final SNURs, elsewhere in the same issue of the **Federal Register** of August 1, 2018, EPA issued proposed SNURs covering these 145 chemical substances (83 FR 37455) (FRL-9981-16). EPA will address all adverse public comments in a subsequent final rule, based on the proposed rule.

## **III. Good Cause Finding**

EPA determined that this document is not subject to the 30-day delay of effective date generally required by the Administrative Procedure Act (APA) (5 U.S.C. 553(d)) because of the time limitations for publication in the **Federal Register**. This document must publish on or before the effective date of the direct final rule containing the direct final SNURs being withdrawn.

## **IV. Statutory and Executive Order Reviews**

This action withdraws regulatory requirements that have not gone into effect and which contain no new or amended requirements. As such, the Agency has determined that this action will not have any adverse impacts, economic or otherwise. The statutory and Executive Order review requirements applicable to the direct final rule were discussed in the August 1, 2018 **Federal Register**. Those review requirements do not apply to this action because it is a withdrawal and does not contain any new or amended requirements.

## **V. Congressional Review Act (CRA)**

Pursuant to the Congressional Review Act (5 U.S.C. 801 *et seq.*), EPA will submit a report containing this rule 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**. This action is not a "major rule" as defined by 5 U.S.C. 804(2). Section 808 of the CRA allows the issuing agency to make a rule effective sooner than otherwise provided by CRA if the agency makes a good cause finding that notice and public procedure is impracticable, unnecessary, or contrary to the public interest. As

required by 5 U.S.C. 808(2), this determination is supported by a brief statement in Unit III.

## List of Subjects

### 40 CFR Part 9

Environmental protection, Reporting and recordkeeping requirements.

### 40 CFR Part 721

Environmental protection, Chemicals, Hazardous substances, Reporting and recordkeeping requirements.

■ Accordingly, the amendments to 40 CFR parts 9 and 721 published on August 1, 2018 (83 FR 37702), are withdrawn effective September 26, 2018.

Dated: September 11, 2018.

Lynn Vendinello,

Acting Director, Chemical Control Division,  
Office of Pollution Prevention and Toxics.

[FR Doc. 2018-20959 Filed 9-25-18; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R04-OAR-2017-0395; FRL-9984-50—Region 4]

### Air Plan Approval; Tennessee: Volatile Organic Compounds

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

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is taking final action to approve a portion of a revision to the Chattanooga-Hamilton County portion of the Tennessee State Implementation Plan (SIP) submitted by the State of Tennessee through the Tennessee Department of Environment and Conservation (TDEC) on behalf of the Chattanooga-Hamilton County Air Pollution Control Bureau (Chattanooga-Hamilton County) on June 25, 2008. The revision amends the definition of “volatile organic compounds” (VOC) to be consistent with state and Federal regulations. The portion of the SIP revision that EPA is approving is consistent with the requirements of the Clean Air Act (CAA or Act). EPA will act on the other portions of the June 25, 2008, submittal in a separate action.

**DATES:** This rule will be effective October 26, 2018.

**ADDRESSES:** EPA has established a docket for this action under Docket Identification No. EPA-R04-OAR-2017-0395. 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, 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:** Tiereny Bell, Air Regulatory Management Section, Air Planning and Implementation Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW, Atlanta, Georgia 30303-8960. Ms. Bell can be reached by phone at (404) 562-9088 or via electronic mail at [bell.tiereny@epa.gov](mailto:bell.tiereny@epa.gov).

## SUPPLEMENTARY INFORMATION:

### I. Background

On March 13, 2018 (83 FR 10813), EPA proposed to approve into the Tennessee SIP the portion of the revisions to the Chattanooga-Hamilton County air quality rules in Chapter 4 of Part II, Section 4-2, submitted by TDEC on behalf of Chattanooga-Hamilton County on June 25, 2008.<sup>1</sup> The definition of “Volatile Organic Compounds” in Chapter 4 of Part II, Section 4-2, “Definitions” is amended to be consistent with the Federal definition of VOC at 40 CFR 51.100(s). In summary, the amendments add several compounds to the list of negligibly reactive compounds, make minor changes to paragraph 3 (related to preconditions to excluding compounds as VOCs), and adds paragraph 4 (related to test methods used for purposes of enforcement) and paragraph 5 (related to recordkeeping and reporting requirements for t-butyl acetate). The details of the Tennessee submissions and the rationale for EPA's action are

explained in the proposed rulemaking. Comments on the proposed rulemaking were due on or before April 13, 2018. EPA did not receive any adverse comments on the proposed action.

## II. Incorporation by Reference

In this rule, EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, EPA is finalizing the incorporation by reference of Chattanooga-Hamilton County's air quality rules in Chapter 4 of Part II, Section 4-2, “Definitions” effective June 11, 2008,<sup>2</sup> to be consistent with the definition of VOC at 51.100. EPA has made, and will continue to make, these materials generally available through [www.regulations.gov](http://www.regulations.gov) and at the EPA Region 4 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information). Therefore, these materials have been approved by EPA for inclusion in the SIP, have been incorporated by reference by EPA into that plan, are fully federally-enforceable under sections 110 and 113 of the CAA as of the effective date of the final rulemaking of EPA's approval, and will be incorporated by reference in the next update to the SIP compilation.<sup>3</sup>

## III. Final Action

EPA is taking final action to approve a portion of a revision to the Chattanooga-Hamilton County portion of the Tennessee SIP which amends the definition of “Volatile Organic Compounds” in the Chattanooga Code, Chapter 4 of Part II, Section 4-2. This SIP revision also amends paragraph 3 and adds paragraphs 4 and 5 to the Chattanooga Code, Chapter 4 of Part II, Section 4-2 definition of VOC. EPA has evaluated the relevant portions of Tennessee's June 25, 2008, SIP revision and has determined that it meets the applicable requirements of the CAA and EPA regulations.

## 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. *See* 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of

<sup>2</sup> In the proposed rule at 83 FR 10814 (March 13, 2018), EPA inadvertently noted the “Definitions” state effective date as August 16, 1995. The correct state effective date, as reflected in this final rule, is June 11, 2008.

<sup>3</sup> 62 FR 27968 (May 22, 1997).

<sup>1</sup> EPA will consider the other changes included in Tennessee's June 25, 2008, SIP revision in a separate rulemaking.