adding, in their place, the words “An intellectual disability”.  
■ B. Removing the authority citation that follows the section.

§ 300.311 [Amended] 

■ 11. Section 300.311 is amended by:  
■ A. In paragraph (a)(6), removing the punctuation and words “or motor disability; mental retardation” and adding, in their place, the punctuation and words “motor disability, or an intellectual disability;”.  
■ B. Removing the authority citation that follows the section.

■ 12. Appendix F to Part 300 is amended by:  
■ A. Under the row labeled “DEFINITIONS ([I–O])”, removing the entry “Mental retardation 300.8(c)(6)”.  
■ B. Under the row labeled “DEFINITIONS ([I–O])”, removing the entry “Intellectual Disability 300.8(c)(6)”.  
■ C. Adding a row to the index, in alphabetical order, the entry “MENTAL RETARDATION (Definition) § 300.8(c)(6)”.  
■ D. Removing the row in the index labeled “MENTAL RETARDATION (Definition) 300.8(c)(6)”.  

The additions read as follows:

APPENDIX F TO PART 300—INDEX FOR IDEA—PART B REGULATIONS  
[34 CFR Part 300]

---

DEFINITIONS ([I])  
• Intellectual Disability ........................................................................................................................................ 300.8(c)(6).

INTELLECTUAL DISABILITY (Definition) .................................................................................................................. 300.8(c)(6).

---

PART 361—STATE VOCATIONAL REHABILITATION SERVICES PROGRAM  

■ 13. The authority citation for part 361 is revised to read as follows:

Authority: Section 12(c) of the Rehabilitation Act of 1973, as amended; 29 U.S.C. 709(c); Pub. L. 111–256, 124 Stat. 2643; unless otherwise noted.

§ 361.5 [Amended]  

■ 14. Section 361.5 is amended by:  
■ A. Removing the authority citation that follows paragraph (c)(30).  
■ B. Removing the authority citation that follows paragraph (c)(40).

PART 373—REHABILITATION NATIONAL ACTIVITIES PROGRAMS  

■ 15. The authority citation for part 373 is revised to read as follows:

Authority: Section 303(b) of the Rehabilitation Act of 1973, as amended; 29 U.S.C. 773(b); Pub. L. 111–256, 124 Stat. 2643; unless otherwise noted.

§ 373.4 [Amended]  

■ 16. Section 373.4 is amended by removing the authority citation that follows the definition of “Individual with a significant disability”.  

PART 385—REHABILITATION TRAINING  

■ 17. The authority citation for part 385 is revised to read as follows:  

Authority: Sections 12(c), 301, and 302 of the Rehabilitation Act of 1973, as amended; 29 U.S.C. 709(c), 771, and 772; Pub. L. 111–256, 124 Stat. 2643; unless otherwise noted.

§ 385.4 [Amended]  

■ 18. Section 385.4 is amended by removing the authority citation that follows the section.

PART 668—STUDENT ASSISTANCE GENERAL PROVISIONS  

■ 19. The authority citation for part 668 is revised to read as follows:  

Authority: 20 U.S.C. 1001–1003, 1070a, 1070g, 1085, 1087a, 1087b, 1087d, 1087e, 1088, 1091, 1092, 1094, 1099c, and 1099c–1, 1221e–3, and 3474; Pub. L. 111–256, 124 Stat. 2643; unless otherwise noted.

§ 668.231 [Amended]  

■ 20. Section 668.231 is amended by:  
■ A. In paragraph (b)(1) introductory text, removing the words “mental retardation or”.  
■ B. Removing the authority citation that follows the section.

PART 674—FEDERAL PERKINS LOAN PROGRAM  

■ 21. The authority citation for part 674 is revised to read as follows:  

Authority: 20 U.S.C. 1070g, 1087aa–1087hh; Pub. L. 111–256, 124 Stat. 2643; unless otherwise noted.

§ 674.51 [Amended]  

■ 22. Section 674.51 is amended by:  
■ A. In paragraph (b)(1), removing the words “Mentally retarded” and adding, in their place, the words “Individuals with intellectual disabilities”.  
■ B. Removing the authority citation that follows the section.

[FR Doc. 2017–14343 Filed 7–10–17; 8:45 am]

BILLING CODE 4000–01–P  

ENVIRONMENTAL PROTECTION AGENCY  

40 CFR Part 52  

Air Plan Approval; Illinois; Emissions Statement Rule Certification for the 2008 Ozone Standard  

AGENCY: Environmental Protection Agency (EPA).  

ACTION: Direct final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving a State Implementation Plan (SIP) submission from the Illinois Environmental Protection Agency (IEPA) dated May 9, 2017. The submission provides IEPA’s certification that its existing emission statement program, titled “Annual Emissions Report”, remains in effect and satisfies the Clean Air Act (CAA) emissions statement requirement for the Illinois portions of the Chicago-Naperville, Illinois-Indiana-Wisconsin and St. Louis-St. Charles-Farmington, Missouri-Illinois nonattainment areas under the 2008 ozone National Ambient Air Quality Standard (NAAQS). Under the CAA, states’ SIPs must require stationary sources in ozone nonattainment areas classified as marginal or above to annually report emissions of Volatile Organic Compounds (VOC) and Oxides of Nitrogen (NOx).  

DATES: This direct final rule is effective September 11, 2017, unless EPA receives adverse comments by August 10, 2017. If adverse comments are
received by EPA, EPA will publish a
timely withdrawal of the direct final
rule in the Federal Register
informing the public that the rule will not take
effect.

ADDRESSES: Submit your comments,
identified by Docket ID No. EPA–R05–
OAR–2017–0278 at http://
www.regulations.gov or via email to
aburano.douglas@epa.gov. For
comments submitted at Regulations.gov,
follow the online instructions for
submitting comments. Once submitted,
comments cannot be edited or removed
from 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:
Kathleen D’Agostino, Attainment
Planning and Maintenance Section, Air
Programs Branch (AR–18),
Environmental Protection Agency,
Region 5, 77 West Jackson Boulevard,
Chicago, Illinois 60604, 312–886–1767,
Dagostino.Kathleen@epa.gov.

SUPPLEMENTARY INFORMATION:
Throughout this document, whenever
“we,” “us,” or “our” is used, we mean
EPA. This supplementary information
section is arranged as follows:
I. Background
II. IEPA’s Emission Statement Certification
and EPA’s Evaluation of the State’s
Submission
III. Final Action
IV. Statutory and Executive Order Reviews

I. Background

On March 12, 2008, EPA promulgated
a revised 8-hour ozone NAAQS of 0.075
parts per million (ppm). See 73 FR 16436
(March 27, 2008). Effective July
20, 2012, EPA designated nonattainment
areas for the 2008 ozone NAAQS (77 FR
30088, May 21, 2012, and 77 FR 34221,
June 11, 2012). The Chicago-Naperville,
IL–IN–WI and St. Louis-St. Charles-
Farmington, MO–IL areas were
designated as marginal nonattainment
areas for the 2008 ozone NAAQS. The
Chicago-Naperville, IL–IN–WI was
reclassified from marginal
nonattainment to moderate
nonattainment on May 4, 2016 (81 FR
26697).

Section 182(a)(3)(B) of the CAA
requires states with ozone
nonattainment areas classified as
marginal and above to submit revisions
to their SIPs to require the owner or
operator of each stationary source of
NOX or VOC to provide the state with
an annual statement documenting the
actual emissions of NOX and VOC from
their source. Under section
182(a)(3)(B)(ii), a state may waive the
emissions statement requirement for any
class or category of stationary sources
which emits less than 25 tons per year
of VOC or NOX if the state, in its base
year emissions inventory, provides an
inventory of emissions from such class
or category of sources. States and EPA
have generally interpreted this waiver
provision to apply to sources (without
specification of a specific source class
or source category) emitting less than 25
tons per year of VOC or NOX.

Many states, including Illinois,
adopted emissions statement rules for
stationary sources in nonattainment
areas under the 1-hour ozone NAAQS,
which EPA approved as part of each
state’s SIP. In cases where an existing
emission statement requirement is still
adequate to meet the requirements
under the 2008 ozone NAAQS, states
may provide the rationale for that
determination to EPA in a written
statement for approval in the SIP to
meet the requirements of section
182(a)(3)(B). See 80 FR 12264, 12291
(March 6, 2015).

II. IEPA’s Emission Statement Certification
and EPA’s Evaluation of the State’s Submission

IEPA submitted a proposed SIP
revision on May 9, 2017 certifying that
the previously SIP-approved emissions
statement regulations meet the
emissions statement requirement for
areas designated as nonattainment for
the 2008 ozone standard pursuant to
Sections 110 and 182 of the CAA. In its
submission, IEPA stated that it has
information collection authority under
Section 4 of the Illinois Environmental
Protection Act, and that IEPA collects
NOX and VOC emission statements
annually, as required by “Annual
Emissions Report,” which applies to
any source located in an ozone
nonattainment area that has the
potential to emit 25 tons per year or
more of VOC or NOX from all emission
units during the reporting year. IEPA
further stated that these regulations also
apply to permitted smaller sources
which are required to submit and certify
source-wide totals of actual emissions
from all regulated air pollutants emitted.
Finally, IEPA confirmed that in general,
facilities subject to part 254 must submit
actual emissions data for NOX and VOC
on an annual basis, and must certify that
the information provided is accurate to
the best of the certifier’s knowledge.

IEPA approved the “Annual Emissions
Report” rules into the Illinois SIP on
May 15, 2002 (67 FR 34614). Based on
this approval and IEPA’s certification,
the regulations at 35 Ill. Adm. Code part
254 are sufficient to meet the emissions
statement requirements of CAA section
182(a)(3)(B) for the 2008 ozone NAAQS.

III. Final Action

EPA is approving, as a SIP revision,
IEPA’s certification that Illinois’
“Annual Emissions Report” rules at 35
IAC part 254 meet the requirements of
CAA section 182(a)(3)(B) under the 2008
ozone standard for the Illinois portions
of the Chicago-Naperville, IL–IN–WI
and St. Louis-St. Charles-Farmington,
MO–IL ozone nonattainment areas...

We are publishing this action without
prior proposal because we view this as
a noncontroversial amendment and
anticipate no adverse comments.
However, in the proposed rules section
of this Federal Register publication,
we are publishing a separate document
that will serve as the proposal to approve
the state plan if relevant adverse written
comments are filed. This rule will
be effective September 11, 2017 without
further notice unless we receive relevant
adverse written comments by August
10, 2017. If we receive such comments,
we will withdraw this action before the
effective date by publishing a
subsequent document that will
withdraw the final action. All public
comments received will then be
addressed in a subsequent final rule
based on the proposed action. EPA will
not institute a second comment period.
Any parties interested in commenting
on this action should 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. If we do not receive any
comments, this action will be effective
September 11, 2017.
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 CAA and applicable Federal regulations. 42 U.S.C. 7401(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 the CAA. Accordingly, this action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

• Is not a “significant regulatory action” subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
• Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 et seq.);
• Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.);
• Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4);
• Does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
• Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
• Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28070, May 22, 2001);
• Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and
• Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

The Congressional Review Act, 5 U.S.C. 801 et seq., as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of Congress and to 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 CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by September 11, 2017. 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. Parties with objections to this direct final rule are encouraged to file a comment in response to the parallel notice of proposed rulemaking for this action published in the proposed rules section of today’s Federal Register, rather than file an immediate petition for judicial review of this direct final rule, so that EPA can withdraw this direct final rule and address the comment in the proposed rulemaking. 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, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: June 20, 2017.
Robert A. Kaplan,
Acting Regional Administrator, Region 5.

40 CFR part 52 is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

§ 52.720 Identification of plan.

1. The authority citation for part 52 continues to read as follows:

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

2. In §52.720, the table in paragraph (e) is amended by adding an entry for “Ozone (8-hour, 2008) certification of emissions statement regulations” following the entry for “Compliance schedules” to read as follows:

§ 52.720 Identification of plan.

<p>| | | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Certification that Illinois’ previously approved regulations at 35 IAC part 254 meet the emission statement requirements for the 2008 ozone NAAQS.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

EPA-APPROVED ILLINOIS NONREGULATORY AND QUASI-REGULATORY PROVISIONS

<table>
<thead>
<tr>
<th>Name of SIP provision</th>
<th>Applicable geographic or nonattainment area</th>
<th>State submittal date</th>
<th>EPA approval date</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ozone (8-hour, 2008) certification of emissions statement regulations.</td>
<td>Chicago and St. Louis areas.</td>
<td>5/9/2017</td>
<td>7/11/2017, [insert Federal Register citation].</td>
<td>Certification that Illinois’ previously approved regulations at 35 IAC part 254 meet the emission statement requirements for the 2008 ozone NAAQS.</td>
</tr>
</tbody>
</table>