

cannot be adequately segregated from other topics, which precludes opening the executive session of this meeting to the public. Accordingly, the Department of the Navy/Assistant for Administration has determined in writing that the meeting shall be partially closed to the public because the discussions during the executive session from 11:15 a.m. to 12:00 p.m. will be concerned with matters protected under sections 552b(c)(5), (6), and (7) of title 5, United States Code.

**Authority:** 5 U.S.C. 552b.

Dated: April 6, 2018.

**E.K. Baldini,**

*Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy, Federal Register Liaison Officer.*

[FR Doc. 2018-07774 Filed 4-12-18; 8:45 am]

**BILLING CODE 3810-FF-P**

## DEPARTMENT OF EDUCATION

### **Applications for New Awards; Expanding Opportunity Through Quality Charter Schools Program (CSP)—Grants to Charter School Developers for the Opening of New Charter Schools and for the Replication and Expansion of High-Quality Charter Schools; Amendment and Extension of Deadline for Transmittal of Applications**

**AGENCY:** Office of Innovation and Improvement, Department of Education.

**ACTION:** Notice; Amendment and Extension of Deadline for Transmittal of Applications.

**SUMMARY:** On March 2, 2018, we published in the **Federal Register** (83 FR 8974) a notice inviting applications (NIA) for new awards for fiscal year (FY) 2018 for the CSP Grants to Developers for the Opening of New Charter Schools and for the Replication and Expansion of High-Quality Charter Schools, Catalog of Federal Domestic Assistance (CFDA) Numbers 84.282B and 84.282E. Since that time, Congress passed and the President signed the Consolidated Appropriations Act, 2018 (Act), which provides funding for the awards under this competition. This document amends the NIA by: (1) Stating that the Secretary may fund out of rank order applications proposing to open a new charter school or replicate or expand a high-quality charter school in underserved, high-poverty, rural areas; and (2) adding definitions related to funding such applications out of rank order.

In addition, we are extending the deadline for transmittal of applications by two weeks, until April 30, 2018.

#### **DATES:**

*Deadline for Transmittal of Applications:* April 30, 2018.

*Deadline for Intergovernmental Review:* June 29, 2018.

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

Eddie Moat, U.S. Department of Education, 400 Maryland Avenue SW., Room 4W224, Washington, DC 20202–5970. Telephone: (202) 401–2266. Email: [eddie.moat@ed.gov](mailto:eddie.moat@ed.gov).

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

#### **SUPPLEMENTARY INFORMATION:**

Following publication of the NIA, Congress passed and the President signed the Act, which provides funding for the awards under this competition. The report accompanying the Act (the Statement of the Managers)<sup>1</sup> includes language reflecting congressional intent that, of these funds, “up to \$7,500,000 [is] for developer grants to establish or expand charter schools in underserved, high-poverty, rural areas.” The Statement of the Managers modifies language in the report accompanying the Senate appropriations committee bill,<sup>2</sup> which indicates congressional intent for CSP appropriations to include “dedicated funding to expand charter schools in rural areas.” Taking into account this language, we are amending the NIA to notify prospective applicants that the Secretary may fund out of rank order applications proposing to open a new charter school or replicate or expand a high-quality charter school in underserved, high-poverty, rural areas; and to add definitions related to funding such applications out of rank order. In addition, we are extending the deadline for transmittal of applications for the competition by two weeks.

All other requirements and conditions stated in the NIA remain the same.

#### **Amendments**

In FR Doc. No. 2018–04294, in the **Federal Register** of March 2, 2018 (83 FR 8974), we make the following amendments:

(a) On page 8974, in the middle column, after the words “Deadline for Transmittal of Applications:” we are removing the date “April 16, 2018” and replacing it with the date “April 30, 2018”.

<sup>1</sup> See [www.congress.gov/crec/2018/03/22/CREC-2018-03-22-bk3.pdf](http://www.congress.gov/crec/2018/03/22/CREC-2018-03-22-bk3.pdf).

<sup>2</sup> See [www.congress.gov/115/crpt/srpt150/CRPT-115srpt150.pdf](http://www.congress.gov/115/crpt/srpt150/CRPT-115srpt150.pdf).

(b) On page 8974, in the middle column, after the words “Deadline for Intergovernmental Review:” we are removing the date “June 15, 2018” and replacing it with the date “June 29, 2018”.

(c) On page 8978, in the middle of the first column following the definition of “expand”, we are adding the following definition, which we are establishing for FY 2018 and any subsequent year in which we make awards from the list of unfunded applications from this competition, in accordance with section 437(d)(1) of the General Education Provisions Act (GEPA), 20 U.S.C. 1232(d)(1):

*High-poverty school* means a school in which at least 50 percent of students are from low-income families as determined using one of the measures of poverty specified under section 1113(a)(5) of the Elementary and Secondary Education Act of 1965 (ESEA), as amended. For middle and high schools, eligibility may be calculated on the basis of comparable data from feeder schools. Eligibility as a high-poverty school under this definition is determined on the basis of the most currently available data.

(d) On page 8978, in the middle of the second column, following the definition of “rural local educational agency”, we are adding the following definition, which we are establishing for FY 2018 and any subsequent year in which we make awards from the list of unfunded applications from this competition, in accordance with section 437(d)(1) of GEPA:

*Underserved community* means a community that has limited access to high-quality educational options.

(e) On page 8981, beginning in the middle column, at the end of section V.2 (Review and Selection Process), we are adding the following paragraph:

Depending upon the number and quality of applications received, the Department may fund out of rank order high-quality applications that propose to open a new *charter school*, or *replicate* or *expand* a *high-quality charter school*, that (a) is located in an underserved community (as defined in this notice); and (b) primarily serves students from rural local educational agencies with at least one high-poverty school (as defined in this notice). To be considered for funding out of rank order, we encourage an applicant to include in its application (i) a statement that it is proposing to open a new *charter school*, or *replicate* or *expand* a *high-quality charter school*, that is located in an underserved community and primarily serves students from rural local educational agencies with at least

one high-poverty school; and (ii) a description of how the proposed project meets each of the above criteria. If an application that is within funding range contains insufficient information to verify that the application meets these criteria, we may contact the applicant to obtain additional relevant information.

**Program Authority:** Title IV, part C of the ESEA (20 U.S.C. 7221–7221j).

**Accessible Format:** Individuals with disabilities can obtain this document and a copy of the application package in an accessible format (e.g., braille, large print, audiotope, or compact disc) on request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**.

**Electronic Access to This Document:** The official version of this document is the document published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of Federal Regulations via the Federal Digital System at: [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys). At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at: [www.federalregister.gov](http://www.federalregister.gov). Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Dated: April 10, 2018.

**Margo Anderson,**

*Acting Assistant Deputy Secretary for Innovation and Improvement.*

[FR Doc. 2018–07744 Filed 4–12–18; 8:45 am]

**BILLING CODE 4000–01–P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OAR–2016–0347; FRL–9976–79–OAR]

**RIN 2060–AT35**

### Response to June 1, 2016 Clean Air Act Section 126(b) Petition From Connecticut

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

**ACTION:** Notice of final action on petition.

**SUMMARY:** The Environmental Protection Agency (EPA) is denying a section 126(b) petition submitted by the state of

Connecticut pursuant to the Clean Air Act (CAA or Act) on June 1, 2016. The petition requested that the EPA make a finding that emissions from Brunner Island Steam Electric Station (Brunner Island), located in York County, Pennsylvania, significantly contribute to nonattainment and interfere with maintenance of the 2008 ozone national ambient air quality standards (NAAQS) in Connecticut in violation of the good neighbor provision under the CAA. The EPA is denying the petition based on the conclusion that Connecticut has not demonstrated and the EPA has not determined that the Brunner Island facility emits or would emit pollution in violation of the good neighbor provision with respect to the 2008 ozone NAAQS.

**DATES:** This final action is effective on April 13, 2018.

**ADDRESSES:** The EPA has established a docket for this action under Docket ID No. EPA–HQ–OAR–2016–0347. All documents in the docket are listed and publicly available at <http://www.regulations.gov>. 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 in the docket or in hard copy at the EPA Docket Center, William Jefferson Clinton (WJC) West Building, Room 3334, 1301 Constitution Avenue 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 Office of Air and Radiation Docket and Information Center is (202) 566–1742.

#### FOR FURTHER INFORMATION CONTACT:

Questions concerning this final action should be directed to Mr. Lev Gabrilovich, U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, Air Quality Policy Division, Mail Code C539–01, Research Triangle Park, NC 27711, telephone (919) 541–1496; email at [gabrilovich.lev@epa.gov](mailto:gabrilovich.lev@epa.gov).

**SUPPLEMENTARY INFORMATION:** The information in this document is organized as follows:

- I. Executive Summary of the EPA's Decision on Connecticut's CAA Section 126(b) Petition
- II. Background and Legal Authority
  - A. Ozone and Public Health

- B. Clean Air Act Sections 110 and 126
- C. The EPA's Historical Approach to Addressing Interstate Transport of Ozone Under the Good Neighbor Provision
- D. The June 2016 CAA Section 126(b) Petition From Connecticut and Related Actions
- III. The EPA's Decision on Connecticut's CAA Section 126(b) Petition
  - A. Summary of the EPA's Proposed Action
  - B. The EPA's Standard for Reviewing Connecticut's CAA Section 126(b) Petition Regarding the 2008 8-hour Ozone NAAQS
  - C. The EPA's Analysis of Connecticut's CAA Section 126(b) Petition
  - D. Public Comments
- IV. Final Action To Deny Connecticut's 126(b) Petition
- V. Judicial Review

### I. Executive Summary of the EPA's Decision on Connecticut's CAA Section 126(b) Petition

In June 2016, the state of Connecticut, through the Connecticut Department of Energy and Environmental Protection (Connecticut), submitted a petition requesting that the EPA make a finding pursuant to CAA section 126(b) that emissions from Brunner Island Steam Electric Station (Brunner Island), located in York County, Pennsylvania, significantly contribute to nonattainment and/or interfere with maintenance of the 2008 ozone NAAQS in Connecticut in violation of CAA section 110(a)(2)(D)(i)(I), otherwise known as the good neighbor provision. The petition further requests that the EPA order Brunner Island to reduce its oxides of nitrogen (NO<sub>x</sub>) emissions. On February 22, 2018, the EPA issued a proposal to deny the CAA section 126(b) petition. 83 FR 7710. The Agency solicited comments on the proposal. In response, the EPA received oral testimony from four speakers at a public hearing on the proposal on February 23, 2018. The EPA also received 27 comments submitted to the docket on the proposed denial. This **Federal Register** notice finalizes EPA's action on Connecticut's CAA section 126(b) petition and addresses major comments the Agency received. The remaining comments are addressed in the Response to Comment (RTC) document available in the docket for this action.

In this final action, the EPA is denying the petition requesting that the EPA make a finding that emissions from Brunner Island significantly contribute to nonattainment and interfere with maintenance of the 2008 ozone NAAQS in Connecticut in violation of the good neighbor provision. In making this final decision, the EPA reviewed the incoming petition, the public comments received, the relevant statutory authorities, and other relevant materials.