

As a result of the lack of funding, NTIA began the orderly shutdown of the PTFP thereafter. NTIA has not processed applications or awarded any additional grants under the PTFP since that time. NTIA has continued to monitor PTFP grants it awarded before Fiscal Year 2011 to ensure taxpayer funds have been utilized in the most responsible and efficient manner.

## II. Comments

On July 18, 2017, NTIA published a Notice of Proposed Rulemaking (NPRM) in the **Federal Register** seeking comment on its proposed repeal of regulations governing the PTFP. NTIA did not receive any comments in response to the NPRM.

## III. Repeal of Regulations for the Public Telecommunications Facilities Program

Congress authorized NTIA to establish regulations “as may be necessary to carry out” the PTFP.<sup>6</sup> Due to the lack of funding for seven years and no prospective funding for the PTFP, the regulations governing the PTFP are unnecessary and obsolete. If these regulations are not removed, it may suggest that the program is still active and may cause confusion regarding the status of the program. Accordingly, NTIA is repealing its regulations governing the PTFP.

### *Administrative Procedure Act*

The Final Rule relates solely to the repeal of grant program processes, and, as such, is not subject to the requirements of the Administrative Procedure Act, 5 U.S.C. 553(a)(2).

### *Congressional Review Act*

It has been determined that this final rule is not major under 5 U.S.C. 801 *et seq.*

### *Executive Order 12866*

The repeal of the regulations governing the PTFP is not a significant regulatory action as defined by Executive Order 12866.

### *Executive Order 13132*

The repeal of the regulations governing the PTFP does not contain policies with federalism implications sufficient to warrant preparation of a

federalism assessment under Executive Order 13132.

### *Regulatory Flexibility Act*

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration that the repeal of regulations governing the PTFP would not have a significant impact on a substantial number of small entities in accordance with section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 605(b)). NTIA received no comments on the certification, which remains unchanged.

### *Paperwork Reduction Act*

The repeal of the regulations governing the PTFP contains no collections of information. Therefore, clearance by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 is not required. In 2013, OMB approved NTIA’s requests to discontinue the following collections associated with the regulations governing the PTFP: OMB Control Numbers 0660–0003, 0660–0001, and 0605–0001; consequently, NTIA has no active collections associated with its regulations governing the PTFP.

### **Lists of Subjects in 15 CFR Part 2301**

Administrative procedure, Grant programs-communications, Reporting and recordkeeping requirements, Telecommunications.

■ For the reasons stated above, and under the authority of 47 U.S.C. 390–393 and 397–399b, NTIA is removing and reserving 15 CFR part 2301.

### **PART 2301—[REMOVED AND RESERVED]**

Dated: September 15, 2017.

**Leonard Bechtel,**

*Director of Administration and Chief Financial Officer, performing the non-exclusive duties of the Assistant Secretary for Communications and Information, National Telecommunications and Information Administration.*

[FR Doc. 2017–20012 Filed 9–19–17; 8:45 am]

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## **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

### **Food and Drug Administration**

#### **21 CFR Part 73**

[Docket No. FDA–2016–C–2570]

#### **Listing of Color Additives Exempt From Certification; Spirulina Extract; Confirmation of Effective Date**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule; confirmation of effective date.

**SUMMARY:** The Food and Drug Administration (FDA or we) is confirming the effective date of August 3, 2017, for the final rule that appeared in the **Federal Register** of July 3, 2017, and that amended the color additive regulations to provide for the expanded safe use of spirulina extract to seasonally color hard-boiled shell eggs at levels consistent with good manufacturing practice.

**DATES:** Effective date of final rule published in the **Federal Register** of July 3, 2017 (82 FR 30731), confirmed: August 3, 2017.

**FOR FURTHER INFORMATION CONTACT:** Molly A. Harry, Center for Food Safety and Applied Nutrition, Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 240–402–1075.

**SUPPLEMENTARY INFORMATION:** In the **Federal Register** of July 3, 2017 (82 FR 30731), we amended the color additive regulations in § 73.530 Spirulina extract (21 CFR 73.530) to provide for the expanded safe use of spirulina extract to seasonally color the shells of hard-boiled eggs.

We gave interested persons until August 2, 2017, to file objections or requests for a hearing. We received no objections or requests for a hearing on the final rule. Therefore, we find that the effective date of the final rule that published in the **Federal Register** of July 3, 2017, should be confirmed.

#### **List of Subjects in 21 CFR Part 73**

Color additives, Cosmetics, Drugs, Medical devices.

■ Therefore, under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 341, 342, 343, 348, 351, 352, 355, 361, 362, 371, 379e) and under authority delegated to the Commissioner of Food and Drugs, we are giving notice that no objections or requests for a hearing were filed in response to the July 3, 2017, final rule. Accordingly, the amendments issued thereby became effective August 3, 2017.

Construction’”). In the 2014 appropriation, Congress rescinded \$8.5 million from the NTIA PTFP account. Consolidated Appropriations Act, 2014, Pub. L. 113–76, sec. 524(a) (Jan. 17, 2014) (“Of the unobligated balances available for ‘Department of Commerce, National Telecommunications and Information Administration, Public Telecommunications Facilities, Planning and Construction,’ \$8,500,000 is hereby rescinded”).

<sup>6</sup> 47 U.S.C. 392(e).

Dated: September 14, 2017.

**Anna K. Abram,**

*Deputy Commissioner for Policy, Planning, Legislation, and Analysis.*

[FR Doc. 2017-20050 Filed 9-19-17; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R07-OAR-2017-0208; FRL-9967-93-Region 7]

#### Approval of Implementation Plans; State of Iowa; Elements of the Infrastructure SIP Requirements for the 2010 Nitrogen Dioxide National Ambient Air Quality Standard (NAAQS)

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

**ACTION:** Direct final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is taking direct final action to approve elements of a State Implementation Plan (SIP) submission, and an amended SIP submission from the State of Iowa for the 2010 Nitrogen Dioxide (NO<sub>2</sub>) National Ambient Air Quality Standard (NAAQS).

Infrastructure SIPs address the applicable requirements of Clean Air Act (CAA) section 110, which requires that each state adopt and submit a SIP for the implementation, maintenance, and enforcement of each new or revised NAAQS promulgated by the EPA. These SIPs are commonly referred to as “infrastructure” SIPs. The infrastructure requirements are designed to ensure that the structural components of each state’s air quality management program are adequate to meet the state’s responsibilities under the CAA.

**DATES:** This direct final rule will be effective November 20, 2017, without further notice, unless EPA receives adverse comment by October 20, 2017. If EPA receives adverse comment, we 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-R07-OAR-2017-0208, to <https://www.regulations.gov>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. 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, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www2.epa.gov/dockets/commenting-epa-dockets>.

#### FOR FURTHER INFORMATION CONTACT:

Heather Hamilton, Air Planning and Development Branch, U.S. Environmental Protection Agency, Region 7, 11201 Renner Boulevard, Lenexa, KS 66219 at (913) 551-7039, or by email at [hamilton.heather@epa.gov](mailto:hamilton.heather@epa.gov).

#### SUPPLEMENTARY INFORMATION:

Throughout this document “we,” “us,” and “our” refer to EPA. This section provides additional information by addressing the following:

- I. What is being addressed in this document?
- II. Have the requirements for approval of a SIP revision been met?
- III. What action is EPA taking?
- IV. Statutory and Executive Order Reviews

#### I. What is being addressed in this document?

EPA is approving elements of the 2010 NO<sub>2</sub> NAAQS infrastructure SIP submission from the State of Iowa received on July 29, 2013, and an amended SIP submission received on March 9, 2017. Specifically, EPA is approving the following elements of section 110(a)(2): (A), (B), (C), (D)(i)(I)—significant contribution to nonattainment (prong 1), interfering with maintenance of the NAAQS (prong 2) and (D)(i)(II)—prevent significant deterioration of air quality (prong 3), and (D)(ii), (E) through (H), and (J) through (M). EPA is not acting on the elements of section 110(a)(2)(D)(i)(II)—protection of visibility (prong 4), and 110(a)(2)(I).

A Technical Support Document (TSD) is included as part of this docket to discuss the details of this action, including analysis of how the SIP meets the applicable 110 requirements for infrastructure SIPs.

#### II. Have the requirements for approval of a SIP revision been met?

The state submission has met the public notice requirements for SIP submissions in accordance with 40 CFR 51.102. The state initiated public

comment from April 6, 2013, to May 8, 2013. One comment was received and adequately addressed in the final SIP submission. The amended submission was placed on public comment January 12, 2017, to February 15, 2017. No comments were received. These submissions also satisfied the completeness criteria of 40 CFR part 51, appendix V. In addition, as explained above and in more detail in the technical support document which is part of this docket, the revisions meets the substantive SIP requirements of the CAA, including section 110 and implementing regulations.

#### III. What action is EPA taking?

EPA is approving elements of the July 23, 2013, (received July 29, 2013) infrastructure SIP submission from the State of Iowa, which addresses the requirements of CAA sections 110(a)(1) and (2) as applicable to the 2010 NO<sub>2</sub> NAAQS. As stated above, EPA is approving the following elements of section 110(a)(2): (A), (B), (C), (D)(i)(I)—significant contribution to nonattainment (prong 1), interfering with maintenance of the NAAQS (prong 2) and (D)(i)(II)—prevent significant deterioration of air quality (prong 3), and (D)(ii), (E) through (H), and (J) through (M). The March 1, 2017, SIP amendment, revised 110(a)(2)(D)(i)(I). Details of the submission are addressed in the TSD, included as part of the docket, to discuss this approval action.

EPA is not taking action on section 110(a)(2)(I). Section 110(a)(2)(I) requires that in the case of a plan or plan revision for areas designated as nonattainment areas, states must meet applicable requirements of part D of the CAA, relating to SIP requirements for designated nonattainment areas. EPA does not expect infrastructure SIP submissions to address element (I). The specific SIP submissions for designated nonattainment areas, as required under CAA title I, part D, are subject to different submission schedules than those for section 110 infrastructure elements. EPA will take action on part D attainment plan SIP submissions through a separate rulemaking governed by the requirements for nonattainment areas, as described in part D.

EPA is not taking action on section 110(a)(2)(D)(i)(II), prong 4.

We are publishing this direct final rule without a prior proposed rule because we view this as a noncontroversial action and anticipate no adverse comment. However, in the “Proposed Rules” section of this **Federal Register**, we are publishing a separate document that will serve as the proposed rule to approve the SIP