

CFR 51.1004(c), suspends the requirements for this area to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standard for as long as this area continues to meet the 1997 annual PM_{2.5} NAAQS.

Subpart FF—New Jersey

■ 4. In § 52.1576 the existing paragraph is designated as paragraph (a), and paragraph (b) is added to read as follows:

§ 52.1576 Determinations of attainment.

* * * * *

(b) Based upon EPA's review of the air quality data for the 3-year period 2007 to 2009, EPA determined that the Philadelphia-Wilmington, PA-NJ-DE fine particle (PM_{2.5}) nonattainment area attained the 1997 annual PM_{2.5} National Ambient Air Quality Standard (NAAQS) by the applicable attainment date of April 5, 2010. Therefore, EPA has met the requirement pursuant to CAA section 179(c) to determine, based on the area's air quality as of the attainment date, whether the area attained the standard. EPA also determined that the Philadelphia-Wilmington, PA-NJ-DE PM_{2.5} nonattainment area is not subject to the consequences of failing to attain pursuant to section 179(d).

■ 5. Section 52.1602 is amended by adding new paragraph (d) to read as follows:

§ 52.1602 Control strategy and regulations: PM_{2.5}.

* * * * *

(d) Determination of Attainment. EPA has determined, as of *May 16, 2012*, that the Philadelphia-Wilmington, PA-NJ-DE fine particle (PM_{2.5}) nonattainment area has attained the 1997 PM_{2.5} National Ambient Air Quality Standard. This determination, in accordance with 40 CFR 51.1004(c), suspends the requirements for this area to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standard for as long as the area continues to attain the 1997 PM_{2.5} NAAQS.

Subpart NN—Pennsylvania

■ 6. Section 52.2056 is amended by adding paragraph (g) to read as follows:

§ 52.2056 Determinations of attainment.

* * * * *

(g) Based upon EPA's review of the air quality data for the 3-year period 2007 to 2009, EPA determined that the Philadelphia-Wilmington, PA-NJ-DE fine particle (PM_{2.5}) nonattainment area attained the 1997 annual PM_{2.5} National Ambient Air Quality Standard (NAAQS) by the applicable attainment date of April 5, 2010. Therefore, EPA has met the requirement pursuant to CAA section 179(c) to determine, based on the area's air quality as of the attainment date, whether the area attained the standard. EPA also determined that the Philadelphia-Wilmington, PA-NJ-DE PM_{2.5} nonattainment area is not subject to the consequences of failing to attain pursuant to section 179(d).

■ 7. Section 52.2059 is amended by adding paragraph (f) to read as follows:

§ 52.2059 Control strategy: Particulate matter.

* * * * *

(f) *Determination of Attainment.* EPA has determined, as of *May 16, 2012*, that based on 2007 to 2009 and 2008 to 2010 ambient air quality data, the Philadelphia-Wilmington, PA-NJ-DE nonattainment area has attained the 1997 annual PM_{2.5} NAAQS. This determination, in accordance with 40 CFR 51.1004(c), suspends the requirements for this area to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standard for as long as this area continues to meet the 1997 annual PM_{2.5} NAAQS.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 97

[EPA-HQ-OAR-2009-0491; FRL-9671-4]

RIN 2060-AR35

Revisions to Federal Implementation Plans To Reduce Interstate Transport of Fine Particulate Matter and Ozone

AGENCY: Environmental Protection Agency (EPA).

ACTION: Withdrawal of direct final rule.

SUMMARY: The EPA issued "Revisions to Federal Implementation Plans To Reduce Interstate Transport of Fine Particulate Matter and Ozone" as a direct final rule on February 21, 2012. Because the EPA received adverse comments on this action, we are withdrawing the direct final rule.

DATES: As of May 16, 2012, the EPA withdraws the direct final rule revisions published on February 21, 2012, at 77 FR 10342.

FOR FURTHER INFORMATION CONTACT:

Jeremy Mark, U.S. Environmental Protection Agency, Clean Air Markets Division, MC 6204J, Ariel Rios Building, 1200 Pennsylvania Ave. NW., Washington, DC 20460, telephone (202) 343-9087, email at mark.jeremy@epa.gov. Electronic copies of this document can be accessed through the EPA Web site at: <http://epa.gov/airmarkets>.

SUPPLEMENTARY INFORMATION: The EPA issued "Revisions to Federal Implementation Plans To Reduce Interstate Transport of Fine Particulate Matter and Ozone" as a direct final rule on February 21, 2012. *See* 77 FR 10342. The direct final rule would have amended the preamble and rule text to the "Federal Implementation Plans: Interstate Transport of Fine Particulate Matter and Ozone and Correction of SIP Approvals" (Transport Rule), published August 8, 2011, to revise certain state emission budgets, variability limits, and new unit set-asides. Specifically, this direct final rule would have revised 2012 and/or 2014 state budgets and variability limits in Arkansas, Georgia, Indiana, Kansas, Louisiana, Mississippi, Missouri, New York, Nebraska, Ohio, Oklahoma, South Carolina, and Texas, and revised new unit set-asides in Arkansas, Louisiana, and Missouri. *See* 77 FR 10342.

The EPA also issued a parallel proposal on February 21, 2012, that proposed to make the same revisions outlined in the direct final rule. *See* 77 FR 10350. The EPA stated in the direct final rule revisions that if we received significant adverse comment by February 21, 2012, we would publish a timely notice of withdrawal of the direct final rule in the **Federal Register**.

The EPA received several comments on the direct final rule and the parallel proposal. Many of the comments support the specific revisions made in the direct final rule, but some are adverse or adverse in part. Generally, where the comments are adverse, they support the revisions that would have been made by the direct final rule but argue the revisions should have gone further. In addition, a number of the comments duplicate comments to which EPA has previously responded.

Because EPA received adverse comments, we are withdrawing the direct final rule, "Revisions to Federal Implementation Plans To Reduce Interstate Transport of Fine Particulate Matter and Ozone." 77 FR 10342. The EPA intends to act on the parallel

proposal as expeditiously as possible and will address relevant comments in that final action. As stated in the parallel proposal, the EPA will not institute a second comment period on this action.

List of Subjects in 40 CFR Part 97

Administrative practice and procedure, Air pollution control, Electric utilities, Nitrogen oxides, Reporting and recordkeeping requirements, Sulfur dioxide.

Dated: May 10, 2012.

Lisa P. Jackson,
Administrator.

PART 97—[AMENDED]

■ Accordingly, the revisions to the rule published in the **Federal Register** on February 21, 2012 (77 FR 10342) on pages 10342–10349 are withdrawn as of May 16, 2012.

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FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 206

[Docket ID FEMA–2010–0064]

RIN 1660–AA23

Disaster Assistance; Crisis Counseling Regular Program; Amendment to Regulation

AGENCY: Federal Emergency
Management Agency, DHS.

ACTION: Final rule.

SUMMARY: Under the authority of Section 416 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, the Federal Emergency Management Agency (FEMA) provides grants for crisis counseling and treatment assistance to individuals after a Presidentially-declared major disaster. This rule finalizes, without change, current interim regulations which establish the requirements and procedures for FEMA's Crisis Counseling Assistance and Training Program.

DATES: This rule is effective June 15, 2012.

FOR FURTHER INFORMATION CONTACT: Randall Kinder, Individual Assistance Division, Recovery Directorate, Department of Homeland Security, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472–3100, 202–212–1000; (email) fema-ia-regulations@dhs.gov.

SUPPLEMENTARY INFORMATION:

I. Background

The Crisis Counseling Assistance and Training Program (CCP) is funded by FEMA under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), 42 U.S.C. 5121–5207. The Stafford Act was designed to supplement the efforts and available resources of State, Tribal and local governments in alleviating the damage, loss, hardship, or suffering caused by a Presidentially-declared disaster. Specifically, section 416 of the Stafford Act (42 U.S.C. 5183) authorizes FEMA to provide supplemental funding for short-term mental health assistance and training activities for eligible victims of a Presidentially-declared major disaster.

Three entities are eligible to apply for and receive CCP funding: States, U.S. Territories, and Federally-recognized Indian Tribes. There are two separate grant programs that can be funded: The Immediate Services Program (ISP), which provides eligible costs for up to 60 days after the date of the disaster declaration; and the Regular Services Program (RSP) which provides 9 months of crisis counseling, community outreach and consultation and education services. FEMA may extend the period of the RSP beyond 9 months in limited circumstances for major disasters with catastrophic impact.

On March 21, 1989, FEMA published an interim rule (54 FR 11610) which reorganized its crisis counseling regulations for the reader's convenience, and made three substantive changes to the program. The first of those changes established a 60-day period for the State to appeal FEMA's decision regarding reconsiderations and termination of assistance for both the ISP and RSP portions of the crisis counseling program. Second, the rule clarified that an application for the ISP must be submitted within 14 days of the declaration date. Finally, the rule allowed documented eligible expenses to be reimbursable from the incident date, rather than the declaration date, as specified in section 424 of the Stafford Act.

On March 3, 2003, FEMA published another interim rule (68 FR 9899) which amended the 1989 interim rule to allow FEMA greater flexibility to extend the program period for the RSP. Prior to the 2003 interim rule, the program period for the RSP was 9 months, and could be extended by FEMA for an additional 90 days. Under the 2003 interim rule, FEMA may extend the program period beyond the initial 9 months, and the additional 90 days, in limited

circumstances for major disasters with catastrophic impact. This change was made retroactive to apply to the major disasters declared in New York and Virginia as a result of the events of September 11, 2001.

II. Discussion of the Public Comments Received

FEMA solicited public comment on both the 1989 and 2003 interim regulations, and received one comment. The commenter wrote in response to the 2003 interim rule and requested that the benefits of this program be extended to the "War on Terror" so that all Americans could receive counseling or support. The commenter specifically requested assistance for families of soldiers in Iraq.

FEMA's authority to provide crisis counseling assistance is limited in duration and limited in scope to only those areas in which the President has declared a major disaster. FEMA is unable to grant the commenter's request. However, there are many other counseling and assistance programs that are available to individuals who are grieving or troubled. Individuals may choose to contact the Department of Health and Human Services Substance Abuse and Mental Health Services Administration (SAMHSA) treatment locator service, which offers assistance in finding local mental health and substance abuse treatment. They are available at <http://samhsa.gov/treatment/index.aspx> or by calling 1–800–662–HELP (4357), 24 hours a day, 7 days a week. Other services may be provided by Mental Health America at www.mentalhealthamerica.net. In many areas of the country, referrals to essential service providers can be made through the local 2–1–1 hotline; more information about that program is available at <http://211us.org>. In addition, the individuals can call the National Suicide Prevention Lifeline at 1–800–273–TALK or via the Web at <http://www.suicidepreventionlifeline.org>. Callers are routed to a suicide prevention call center near them based on the area code from which they are calling. Lastly, States often have additional crisis hotlines that are listed in the Blue Pages.

For those who are in or who have family in the military, The Army Family Assistance Hotline is 1–800–833–6622. The Marine Corps Community Service Centers may be contacted at 1–800–253–1624 (west of the Mississippi) and 1–800–336–4663 (east of the Mississippi). Information for Air Force families may be found at <http://ra.defense.gov/documents/toolkit/>