

§ 1318.07 Non-liability of Drug Enforcement Administration.

The Administration shall have no liability with respect to the performance of any contractual terms agreed to by a grower and buyer of bulk cannabis, including but not limited to the quality of any cannabis delivered to a buyer. In the event that a buyer deems the delivered cannabis to be defective, the buyer's sole remedy for damages shall be against the grower and not the Administration.

Dated: March 16, 2020.

Uttam Dhillon,

Acting Administrator.

[FR Doc. 2020-05796 Filed 3-20-20; 8:45 am]

BILLING CODE 4410-09-P

DEPARTMENT OF DEFENSE**Department of the Army, Corps of Engineers****33 CFR Part 209**

[COE-2016-0016]

RIN 0710-AA72

Use of U.S. Army Corps of Engineers Reservoir Projects for Domestic, Municipal & Industrial Water Supply; Withdrawal

AGENCY: Army Corps of Engineers, DoD.

ACTION: Proposed rule; withdrawal.

SUMMARY: As a result of a policy determination by the Assistant Secretary of the Army (Civil Works), the U.S. Army Corps of Engineers (Corps) is withdrawing the proposed rule titled "Use of U.S. Army Corps of Engineers Reservoir Projects for Domestic, Municipal & Industrial Water Supply," which was published on December 16, 2016.

DATES: The Corps is withdrawing the proposed rule published December 16, 2016 (81 FR 91556) as of March 23, 2020.

ADDRESSES: U.S. Army Corps of Engineers, 441 G Street NW, Washington, DC 20314.

FOR FURTHER INFORMATION CONTACT: Amy K. Frantz, Planning and Policy (CECW-P); telephone number: (202) 761-0106; email address: WSRULE2016@usace.army.mil; or Daniel Inkelas, Chief Counsel's Office (CECC-L); phone number (202) 761-0345; email address: WSRULE2016@usace.army.mil.

SUPPLEMENTARY INFORMATION: None.

Dated: March 16, 2020.

R.D. James,

Assistant Secretary of the Army, (Civil Works).

[FR Doc. 2020-05919 Filed 3-20-20; 8:45 am]

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DEPARTMENT OF EDUCATION**34 CFR Chapter III**

[Docket No. ED-2020-OPE-0044]

Proposed Waiver and Extension of the Project Period for the Predominantly Black Institutions Competitive Grant Program

AGENCY: Office of Postsecondary Education (OPE), Department of Education.

ACTION: Proposed waiver and extension of project period.

SUMMARY: The Secretary proposes to waive the requirements in the Education Department General Administrative Regulations that generally prohibit project periods exceeding five years and project period extensions involving the obligation of additional Federal funds. The proposed waiver and extension would enable 23 projects under CFDA number 84.382A to receive funding for an additional period, not to exceed September 30, 2021.

DATES: We must receive your comments on or before April 22, 2020.

ADDRESSES: Submit your comments through the Federal eRulemaking Portal or via postal mail, commercial delivery, or hand delivery. We will not accept comments submitted by fax or by email or those submitted after the comment period. To ensure that we do not receive duplicate copies, please submit your comments only once. In addition, please include the Docket ID at the top of your comments.

If you are submitting comments electronically, we strongly encourage you to submit any comments or attachments in Microsoft Word format. If you must submit a comment in Adobe Portable Document Format (PDF), we strongly encourage you to convert the PDF to print-to-PDF format or to use some other commonly used searchable text format. Please do not submit the PDF in a scanned format. Using a print-to-PDF format allows the Department to electronically search and copy certain portions of your submissions.

• **Federal eRulemaking Portal:** Go to www.regulations.gov to submit your comments electronically. Information on using Regulations.gov, including instructions for accessing agency documents, submitting comments, and

viewing the docket, is available on the site under "Help."

• **Postal Mail, Commercial Delivery, or Hand Delivery:** The Department strongly encourages commenters to submit their comments electronically. However, if you mail or deliver your comments about the proposed waiver and extension, address them to: The Predominantly Black Institutions Competitive Grant Program, CFDA number 84.382A, Attention: Bernadette Miles, U.S. Department of Education, 400 Maryland Avenue SW, Room 250-22, Washington, DC 20202.

Privacy Note: The Department's policy is to make all comments received from members of the public available for public viewing in their entirety on the Federal eRulemaking Portal at www.regulations.gov. Therefore, commenters should be careful to include in their comments only information that they wish to make publicly available.

FOR FURTHER INFORMATION CONTACT:

Bernadette Miles, U.S. Department of Education, 400 Maryland Avenue SW, Room 250-22, Washington, DC 20202. Telephone: 202-453-7892. Email: Bernadette.Miles@ed.gov.

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

SUPPLEMENTARY INFORMATION:

Invitation to Comment: We invite you to submit comments regarding this proposed waiver and extension.

We invite you to assist us in complying with the specific requirements of Executive Orders 12866, 13563, and 13771 and their overall requirement of reducing regulatory burden that might result from this proposed waiver and extension. Please let us know of any further ways we could reduce potential costs or increase potential benefits while preserving the effective and efficient administration of the program.

During and after the comment period, you may inspect all public comments about this proposed waiver and extension of the project period in Room 5059, 550 12th Street SW, Washington, DC, between the hours of 8:30 a.m. and 4:00 p.m., Eastern time, Monday through Friday of each week, except Federal holidays.

Assistance to Individuals with Disabilities in Reviewing the Rulemaking Record: On request, we will provide an appropriate accommodation or auxiliary aid to an individual with a disability who needs assistance to review the comments or other

documents in the public rulemaking record for this proposed waiver and extension. If you want to schedule an appointment for this type of aid, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

Background

On May 18, 2015, the Department of Education (Department) published in the **Federal Register** (80 FR 28248) a notice inviting applications for projects for fiscal year (FY) 2015 under the Predominantly Black Institutions (PBI) Competitive Grant program authorized under Title III, Part F, Section 371 of the Higher Education Act of 1965, as amended (HEA). The purpose of the PBI program is to strengthen PBIs to carry out programs in the following areas: Science, technology, engineering, or mathematics; health education; internationalization or globalization; teacher preparation; or improving educational outcomes of African-American males.

In September 2015, the Department made 23 60-month awards to eligible institutions funded by the PBI Program as follows:

Institution	State
University of West Alabama	AL.
Arkansas State University	AR.
Pulaski Technical College	AR.
South Georgia Technical College	GA.
Albany Technical College	GA.
Oconee Fall Line Technical College	GA.
Augusta Technical College	GA.
Central Georgia Technical College	GA.
Georgia State University	GA.
Malcolm X College	IL.
Olive Harvey College	IL.
Chicago State University	IL.
Mississippi Delta Community College	MS.
Halifax Community College	NC.
Bloomfield College	NJ.
Medgar Evers College	NY.
York College	NY.
Community College of Philadelphia ..	PA.
Northeastern Technical College	SC.
Florence-Darlington Technical College ..	SC.
Central Carolina Technical College ..	SC.
Southwest Tennessee Community College ..	TN.
Cedar Valley College	TX.

All current project periods for these grantees end on September 30, 2020.

Waivers and Extensions

We are proposing to extend the 23 PBI projects in order to align and coordinate the funding cycles of all discretionary grant programs authorized under Title III, Part F, Section 371 of the Higher Education Act of 1965 (HEA). With the proposed extension, the PBI Program would align with (1) the Alaska Native and Native Hawaiian-serving

Institutions program; (2) the Asian American and Native American Pacific Islander-serving program; (3) the Native American-serving Non-Tribal Institutions program; and (4) the Hispanic-Serving Institutions Science, Technology, Engineering, and Mathematics and Articulation Program (HSI-STEM). The waivers and extensions would allow the Department to align and coordinate the award cycles of the Title III, Part F programs, and improve the efficiency and cost-effectiveness of direct training and technical assistance services focused on the competitive strengthening institutions programs. In addition, the Department will consider approaches for improving coordination among programs that provide these services to more efficiently and effectively meet the needs of these institutions and to allow for efficient use of the funding available to support these activities.

We do not believe that it would be in the public interest to run a competition for this program in FY 2020. The program has remaining FY 2019 appropriated funds to be carried over to the current FY 2020 grant cycle and would continue on an award cycle that would not coordinate with the Department's existing part F discretionary grant programs.

The Department has also concluded that it would not be in the public interest to run two consecutive program competitions with the first using the appropriated 2019 carry over funds and the second using the funds appropriated by H.R. 2486, the Fostering Undergraduate Talent by Unlocking Resources for Education (FUTURE) Act, because doing so would increase the burden on the potential applicants.

For these reasons, the Secretary proposes to waive the requirements in 34 CFR 75.250, which prohibit project periods exceeding five years, and the requirements in 34 CFR 75.261(a) and (c)(2), which allow the extension of a project period only if the extension does not involve the obligation of additional Federal funds. The waiver would allow the Department to issue one-time FY 2020 continuation awards to the current PBI Program grantees estimated as follows:

Institution	State	Award
University of West Alabama.	AL	\$414,672
Arkansas State University.	AR	599,996
Pulaski Technical College.	AR	599,856
South Georgia Technical College.	GA	600,000

Institution	State	Award
Albany Technical College.	GA	600,000
Oconee Fall Line Technical College.	GA	545,459
Augusta Technical College.	GA	591,493
Central Georgia Technical College.	GA	596,148
Georgia State University.	GA	600,000
Malcolm X College	IL	590,500
Olive Harvey College ..	IL	543,246
Chicago State University.	IL	600,000
Mississippi Delta Community College.	MS	600,000
Halifax Community College.	NC	600,000
Bloomfield College	NJ	600,000
Medgar Evers College	NY	600,000
York College	NY	600,000
Community College of Philadelphia.	PA	600,000
Northeastern Technical College.	SC	599,252
Florence-Darlington Technical College.	SC	599,993
Central Carolina Technical College.	SC	599,921
Southwest Tennessee Community College.	TN	600,000
Cedar Valley College ..	TX	467,126

Any activities carried out during the year of this continuation award must be consistent with the scope, goals, and objectives of the grantees' applications as approved in the 2015 competition. The requirements for continuation awards are set forth in 34 CFR 75.253.

Regulatory Flexibility Act Certification

The Secretary certifies that the proposed waiver and extension of the project period would not have a significant economic impact on a substantial number of small entities. The only entities that would be affected by the proposed waiver and extension of the project period are the current grantees and any other potential applicants.

The Secretary certifies that the proposed waiver and extension would not have a significant economic impact on these entities because the extension of an existing project period imposes minimal compliance costs, and the activities required to support the additional year of funding would not impose additional regulatory burdens or require unnecessary Federal supervision.

Paperwork Reduction Act of 1995

This notice of proposed waiver and extension of the project period does not contain any information collection requirements.

Intergovernmental Review

These programs are subject to Executive Order 12372 and the regulations in 34 CFR part 79. One of the objectives of the Executive order is to foster an intergovernmental partnership and a strengthened federalism. The Executive order relies on processes developed by State and local governments for coordination and review of proposed Federal financial assistance. This document provides early notification of our specific plans and actions for this program.

Accessible Format: Individuals with disabilities can obtain this document in an accessible format (e.g., braille, large print, audiotape, or compact disc) on request to the 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 at www.govinfo.gov. 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. Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Robert L. King,

Assistant Secretary for Postsecondary Education.

[FR Doc. 2020-05741 Filed 3-20-20; 8:45 am]

BILLING CODE 4000-01-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R05-OAR-2020-0055 FRL-10006-83-Region 5]

Air Plan Approval; Ohio; Technical Amendment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to remove the air pollution nuisance rule from the Ohio State Implementation Plan (SIP)

using the Clean Air Act (CAA) error correction provision. EPA has determined that this rule was not relied upon by Ohio to demonstrate attainment or maintenance of any National Ambient Air Quality Standards (NAAQS). If EPA takes final action consistent with this proposal, the nuisance provision will no longer be part of the Ohio SIP.

DATES: Comments must be received on or before April 22, 2020.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-R05-OAR-2020-0055 at <http://www.regulations.gov>, or via email to arra.sarah@epa.gov. For comments submitted at [Regulations.gov](http://www.regulations.gov), follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from [Regulations.gov](http://www.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: Rachel Rineheart, Environmental Engineer, Attainment Planning and Maintenance Section, Air Programs Branch (AR-18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-7017, rineheart.rachel@epa.gov.

SUPPLEMENTARY INFORMATION:

Throughout this document whenever “we,” “us,” or “our” is used, we mean EPA.

I. Why is EPA proposing to remove Ohio’s nuisance rule from the SIP?

The CAA was first enacted in 1970. Section 110(a)(1) required each state to submit to EPA SIPs that provided for the implementation, maintenance and

enforcement of the NAAQS. In the 1970s and early 1980s, thousands of state and local agency regulations were submitted to EPA for incorporation into the SIP to fulfill the new Federal requirements. In many cases, states submitted entire regulatory air pollution programs, including many elements not required by the CAA. Due to time and resource constraints, EPA’s review of these submittals focused primarily on the rules addressing the new substantive requirements of the CAA, and we approved many other elements into the SIP with minimal review. We now recognize that some of these elements are appropriate for state and local agencies to adopt and implement, but not as federally enforceable SIP requirements. These include rules that prohibit air pollution nuisances. Such rules generally have no connection to the purposes for which SIPs are developed and approved, namely the implementation, maintenance, and enforcement of the NAAQS.

II. What is EPA’s authority to correct errors in SIP rulemakings?

Section 110(k)(6) of the CAA provides EPA with authority to make corrections to prior SIP actions that are subsequently found to be in error in the same manner as the prior action, and to do so without requiring any further submission from the state. This determination and the basis must be provided to the state and the public.

III. Which rule is EPA proposing to remove?

Ohio rule AP-2-07, “Air pollution nuisances prohibited,” was approved by EPA into the Ohio SIP on April 15, 1974. See 39 FR 13542. Subsequently, Ohio amended and renumbered the rule as OAC 3745-15-07 and submitted it as a revision to the SIP. EPA approved the amended provision on August 13, 1984. See 49 FR 32182. OAC 3745-15-07 prohibits the “emission or escape into the open air from any source or sources whatsoever, of smoke, ashes, dust, dirt, grime, acids, fumes, gases, vapors, odors, or any other substances or combinations of substances, in such manner or in such amounts as to endanger the health, safety or welfare of the public, or cause unreasonable injury or damage to property.”

EPA has reviewed the docket files regarding Ohio’s nuisance rule and found no information indicating that the state has relied on, or ever intended to rely on, this rule for attainment or