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 Act and applicable Federal regulations. 42 U.S.C. 7410(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 Clean Air Act. 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 Order 12866 (58 FR 51735, October 4, 1993);
- 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 28355, 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 Clean Air Act; 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, this rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because it does not apply in Indian country located in the State, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

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 the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and 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 December 30, 2013. 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. 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, Intergovernmental relations, Incorporation by reference, Nitrogen dioxide, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

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

Dated: September 25, 2013.

Jared Blumenfeld,

Regional Administrator, Region IX.

Part 52, Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

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

Subpart F—California

■ 2. Section 52.220 is amended by adding paragraph (c)(432) to read as follows:

§ 52.220 Identification of plan.

* * * * *

(c) * * *

(432) The following plan was submitted on November 14, 2011, by the Governor's Designee.

(i) [Reserved].

(ii) Additional materials.

(A) South Coast Air Quality Management District.

(*1*) South Coast Air Quality Management District Proposed Contingency Measures for the 2007 $PM_{2.5}$ SIP (dated October 2011) (''Contingency Measures SIP''), adopted October 7, 2011.

(*2*) SCAQMD Resolution No. 11–24, dated October 7, 2011, adopting the Contingency Measures SIP.

(*3*) Letter dated April 24, 2013 from Elaine Chang, Deputy Executive Officer, SCAQMD, to Deborah Jordan, Director, Air Division, EPA Region 9, Re: ''Update of the 2012 RFP Emissions and 2015 Reductions from Contingency Measures for the 2007 Annual $PM_{2.5}$ Air Quality Management Plan for the South Coast Air Basin,'' including attachments.

(B) State of California Air Resources Board.

(*1*) CARB Executive Order S–11–023, dated November 14, 2011, adopting the Contingency Measures SIP.

[FR Doc. 2013–25182 Filed 10–28–13; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 312

[EPA–HQ–SFUND–2013–0513; FRL–9902–22–OSWER]

Amendment to Standards and Practices for All Appropriate Inquiries

AGENCY: Environmental Protection Agency (EPA).

ACTION: Withdrawal of direct final rule.

SUMMARY: Because EPA received adverse comment, we are withdrawing the direct final rule for the Amendment to Standards and Practices for All Appropriate Inquiries published on August 15, 2013.

DATES: Effective October 29, 2013, EPA withdraws the direct final rule published at 78 FR 49690, on August 15 2013.

FOR FURTHER INFORMATION CONTACT: Rachel Lentz, Office of Brownfields and Land Revitalization (5105–T), U.S. Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460–0002; telephone number: 202–566–2745; fax number: 202–566–

1476; email address: *lentz.rachel@epa.gov.*

SUPPLEMENTARY INFORMATION: Because EPA received adverse comment, we are withdrawing the direct final rule for the Amendment to Standards and Practices for All Appropriate Inquiries published on August 15, 2013 (78 FR 49690). We stated in that direct final rule that if we received adverse comment by September 16, 2013, the direct final rule would not take effect and we would publish a timely withdrawal in the **Federal Register**. We subsequently received adverse comment on that direct final rule. We will address the comments received in any subsequent final action. As stated in the direct final rule and the parallel proposed rule, we will not institute a second comment period on the parallel proposed rule published on August 15, 2013 (78 FR 49714).

List of Subjects in 40 CFR Part 312

Administrative practice and procedure, Hazardous substances.

Dated: October 22, 2013.

Mathy Stanislaus,

Assistant Administrator, Office of Solid Waste and Emergency Response.

Accordingly, EPA withdraws the amendments to 40 CFR 312.11(c), published in the **Federal Register** on August 15, 2013 (78 FR 49690), as of October 29, 2013.

[FR Doc. 2013–25592 Filed 10–28–13; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 20

[PS Docket Nos. 11–153 and 10–255; FCC 13–127]

Next Generation 911; Text-to-911; Next Generation 911 Applications

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Federal Communications Commission (Commission) amends the text-to-911 ''bounce-back'' requirement as it applies to Commercial Mobile Radio Service (CMRS) providers when consumers are roaming. In the May 2013 *Bounce-Back Order,* FCC 13–64, the Commission required all CMRS providers and providers of interconnected text messaging services to provide an automatic ''bounce-back'' text message in situations where a consumer attempts to send a text message to 911 in a location where text-to-911 is not available. This document amends the rule to specify that when a consumer attempts to send a text to 911 while roaming on a CMRS network, the CMRS provider offering roaming service (host provider) satisfies its bounce-back obligation provided that it does not impede the consumer's text to the consumer's home network provider (home provider) or impede any bounce-back message generated by the home provider back to the consumer.

DATES: Effective October 29, 2013.

FOR FURTHER INFORMATION CONTACT: Nicole McGinnis, Federal Communications Commission, Public Safety and Homeland Security Bureau, 445 12th Street SW., Room 7–A814, Washington, DC 20554. Telephone: (202) 418–2877, email: *nicole.mcginnis@fcc.gov.*

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Order on Reconsideration,* PS Docket Nos. 11–153, 10–255; FCC 13–127, adopted September 27, 2013 and released September 30, 2013. The full text of this document is available for public inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, CY–A257, 445 12th Street SW., Washington, DC 20554. This document will also be available via ECFS (*http://fjallfoss.fcc.gov/ecfs/*) or on the Commission's Web site at *http://www.fcc.gov/document/text-911-bounce-back-message-order.* This document may be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street SW., Room CY–B402, Washington, DC 20554, telephone 1–800–478–3160 or via the company's Web site, *http://www.bcpiweb.com.*

I. Background

1. *Bounce-Back Order.* In the *Bounce-Back Order,* the Commission required ''all CMRS providers to provide an automatic bounce-back message when a consumer roaming on a network initiates a text-to-911 in an area where text-to-911 service is not available.'' Given the important public safety implications of the bounce-back requirement, the Commission stated that ''carriers should make automatic bounce-back messages available to consumers roaming on their network to the same extent they provide such messages to their own subscribers.'' Accordingly, the bounce-back rule in § 20.18(n) of the Commission's rules contains a specific subsection relating to roaming. Section 20.18(n)(7) currently provides that: ''A CMRS provider subject to § 20.12 shall provide an automatic bounce-back message to any consumer roaming on its network who sends a text message to 911 when (i) the consumer is located in an area where text-to-911 service is unavailable, or (ii) the CMRS provider does not support text-to-911 service at the time.''

2. *CTIA Petition.* On June 28, 2013, CTIA filed a petition for reconsideration, or in the alternative, for clarification, of the roaming provision of the *Bounce-Back Order.* CTIA's core concern is that in a situation where a wireless consumer attempts to send a text to 911 while roaming on a CMRS provider's network, § 20.18(n)(7) could be read to impose an obligation on the host provider to originate a bounce-back message, which CTIA contends is technically infeasible for the host provider. CTIA claims that in current network architecture for Short Message Service (SMS) texting, only the consumer's home provider has the technical ability to initiate a bounce-back message when the consumer is roaming on another network. CTIA also contends that § 20.18(n)(7) was adopted ''with minimal discussion of the rule's practicality or technical feasibility.'' CTIA therefore requests that the Commission either eliminate § 20.18(n)(7) or, in the alternative, clarify that § 20.18(n)(7) ''applies only to home network operators.'' CTIA further suggests that the clarification could be accomplished by deleting § 20.18(n)(7) and adding language to § 20.18(n)(3), which specifies the circumstances under which a covered text provider must provide an automatic bounce-back message, to state that the bounce-back requirement applies where the consumer is roaming on the network of another CMRS provider. CTIA states that ''the relief it requests will not prevent wireless subscribers who are roaming from receiving a bounce-back message'' but merely seeks to ''allocate carrier responsibilities in a way that aligns with technical realities.''

3. *Responsive Pleadings.* On July 11, 2013, the Commission released a *Public Notice* seeking comment on the Petition. Several parties filed in support of the CTIA petition. AT&T supports the Commission ''clarifying that, while covered text providers must send a bounce-back message alerting end users that text-to-911 is unavailable, it is the Home Carrier (and not the Host Carrier) that is responsible for sending that bounce-back message when the end user is texting while roaming on another carrier's network.'' T-Mobile similarly contends that, in a roaming scenario, the host provider will automatically pass an