F. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

This action does not have tribal implications as specified in Executive Order 13175. This action corrects a potential conflict in the refrigerant management regulations as to whether or not small cans of refrigerant for use in MVAC could be sold to non-technicians if they were manufactured or imported prior to January 1, 2018, and do not have a self-sealing valve. Thus, Executive Order 13175 does not apply to this action.

G. Executive Order 13045: Protection of Children From Environmental Health Risks and Safety Risks

The EPA interprets Executive Order 13045 as applying only to those regulatory actions that concern environmental health or safety risks that the EPA has reason to believe may disproportionately affect children, per the definition of ''covered regulatory action'' in section 2–202 of the Executive Order. This action is not subject to Executive Order 13045 because it does not concern an environmental health risk or safety risk.

H. Executive Order 13211: Actions That Significantly Affect Energy Supply, Distribution, or Use

This action is not subject to Executive Order 13211, because it is not a significant regulatory action under Executive Order 12866.

I. National Technology Transfer and Advancement Act

This rulemaking does not involve technical standards.

J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations

The EPA believes that this action does not have disproportionately high and adverse human health or environmental effects on minority populations, low-income populations and/or indigenous peoples, as specified in Executive Order 12898 (59 FR 7629, February 16, 1994).

This action does not affect the level of protection provided to human health or the environment. This action corrects a potential conflict in the refrigerant management regulations as to whether or not small cans of refrigerant for use in MVAC could be sold to non-technicians if they were manufactured or imported prior to January 1, 2018, and do not have a self-sealing valve. This action clarifies that those small cans of refrigerant for use in MVAC may be sold to persons who are not certified technicians. The documentation for this decision is contained in Docket No. EPA–HQ–OAR–2017–0213, where EPA's assessment of the underlying regulatory changes that led to this correction found no disproportionately high and adverse human health or environmental effects on minority populations, low-income populations and/or indigenous peoples.

K. Congressional Review Act (CRA)

This action is subject to the CRA, and EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 82

Environmental protection, Air pollution control, Chemicals, Reporting and recordkeeping requirements.

Dated: September 21, 2017.

E. Scott Pruitt,

Administrator.

For the reasons set forth in the preamble, the Environmental Protection Agency amends 40 CFR part 82 as follows:

PART 82—PROTECTION OF STRATOSPHERIC OZONE

■ 1. The authority citation for part 82 continues to read as follows:

Authority: 42 U.S.C. 7414, 7601, 7671–7671q.

■ 2. In § 82.154, revise paragraph (c)(1)(ix) to read as follows:

§ 82.154 Prohibitions.

* * * * *

(c) * * *

(1) * * *

(ix) The non-exempt substitute refrigerant is intended for use in an MVAC and is sold in a container designed to hold two pounds or less of refrigerant, has a unique fitting, and, if manufactured or imported on or after January 1, 2018, has a self-sealing valve that complies with the requirements of paragraph (c)(2) of this section.

* * * * *

[FR Doc. 2017–20840 Filed 9–27–17; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

45 CFR Part 1302

RIN 0970–AC63

Head Start Program

AGENCY: Office of Head Start (OHS), Administration for Children and Families (ACF), Department of Health and Human Services (HHS).

ACTION: Final rule; delay of compliance date.

SUMMARY: The Office of Head Start will delay the compliance date for background check procedures and the date for programs to participate in their state or local Quality Rating and Improvement Systems (QRIS). Both requirements are described in the Head Start Program Performance Standards (HSPPS) final rule that was published in the **Federal Register** on September 6, 2016. We believe programs and states will benefit from more time to fully implement these changes.

DATES: The date for programs to comply with background checks procedures described in 45 CFR 1302.90(b) and for programs to participate in QRIS described in 45 CFR 1302.53(b)(2) is delayed until September 30, 2018.

FOR FURTHER INFORMATION CONTACT: Colleen Rathgeb, Division Director of Early Childhood Policy and Budget, Office of Early Childhood Development, *OHS_NPRM@acf.hhs.gov,* (202) 401–1195 (not a toll-free call). Deaf and hearing impaired individuals may call the Federal Dual Party Relay Service at 1–800–877–8339 between 8 a.m. and 7 p.m. Eastern Standard Time.

SUPPLEMENTARY INFORMATION:

Background

The Head Start program provides grants to local public and private non-profit and for-profit agencies to provide comprehensive education and child development services to economically disadvantaged children, birth to age 5, and families and to help young children develop the skills they need to be successful in school. We amended our Head Start Program Performance Standards in a final rule that published in the **Federal Register** on September 6, 2016.

The Head Start Program Performance Standards define requirements grantees and delegate agencies must implement to operate high quality Head Start or Early Head Start programs and provide

a structure to monitor and enforce quality standards.

Promoting Child Safety and State Partnerships

Child safety is a top priority in the final rule. We strengthened our criminal background check requirements at 45 CFR 1302.90(b), in the final rule, to reflect changes in the Improving Head Start for School Readiness Act of 2007, Public Law 110–134, and to complement background check requirements in the Child Care and Development Block Grant (CCDBG) Act of 2014, Public Law 113–186.

In addition to background check requirements, we aim to strengthen partnerships between states and Head Start programs. As part of this effort, 45 CFR 1302.53(b) in the final rule requires Head Start programs to take an active role in promoting coordinated early childhood systems, including those in their state. As part of these requirements, most Head Start programs must participate in QRIS, if they meet certain conditions.

Compliance Dates

In the **SUPPLEMENTARY INFORMATION** section of the final rule, we provided a table, *Table 1: Compliance Table* that lists dates by which programs must implement specific standards. We currently list September 30, 2017, as the date by which programs must comply with background check requirements at 45 CFR 1302.90(b). We had previously extended background check requirements until September 30, 2017, to align with the background check requirement deadline in the CCDBG Act through a **Federal Register** document, published on December 6, 2016. However, programs are required to continue to adhere to the criminal record check requirements in section 648A of Head Start Act, as amended by the Improving Head Start for School Readiness Act of 2007, Public Law 110–134. We list August 1, 2017, as the date programs must participate in their states' Quality Rating and Improvement Systems (QRIS) pursuant to 45 CFR 1302.53(b)(2).

Background Checks Procedures in the Final Rule

Generally, 45 CFR 1302.90(b)(1) requires that before a person is hired, programs must conduct a sex offender registry check and obtain either a state or tribal criminal history records, including fingerprint checks, or a Federal Bureau of Investigation (FBI) criminal history records, including fingerprint checks.

In 45 CFR 1302.90(b)(2), (4), and (5), we afford programs 90 days to obtain whichever check they could not obtain before the person was hired, as well as child abuse and neglect state registry check, if available. We require programs to have systems in place that ensure these newly hired employees do not have unsupervised access to children until their background process is complete. A complete background check consists of a sex offender registry check, state or tribal history records, including fingerprint check and FBI criminal history records, including fingerprint check, as well as a child abuse and neglect state registry check, if available. We also require programs to conduct complete background checks for each employee at least once every five years.

We believe programs will need more time to implement systems to complete the backgrounds checks process listed at 45 CFR 1302.90(b)(2), (4), and (5) in our final rule. Also, we recognize most states will have systems that can accommodate our programs' background checks requests by September 30, 2018. Congress requires states that receive CCDBG funds to implement systems for comprehensive background checks for all child care teachers and staff. These states must have requirements, as well as policies and procedures to enforce and conduct criminal background checks for existing and prospective child care providers, by September 30, 2017, but Congress gave states the authority to request extensions until September 30, 2018, and several states have done so. Since these systems enable Head Start programs to meet the HSPPS requirements in 45 CFR 1302.90(b), we can minimize burden on Head Start programs if we extend the compliance date for 45 CFR 1302.90(b) to September 30, 2018. Until September 30, 2018, the criminal record check requirements from section 648A of the Head Start Act continue to remain in place.

QRIS Requirement in the Final Rule

QRIS is a systemic approach to assess, improve, and communicate the level of quality in early and school-age care and education programs. QRIS award quality ratings to programs that meet a set of defined program standards. Since the 1990s, many states have developed a QRIS.

The requirements at 45 CFR 1302.53(b) require Head Start programs to take an active role in promoting coordinated early childhood systems to maximize access to services, reduce system duplication, foster informed quality improvement, and ensure Head Start programs are part of larger early childhood systems within their states. These requirements went into effect on November 7, 2016. To further Head Start's role in state systems of quality improvement, the HSPPS requires programs to participate in QRIS, if they meet certain conditions described at 45 CFR 1302.53(b)(2).

We understood from the public comment process and from subsequent discussions with Head Start grantees and state organizations that there are concerns about the time and resources needed by both the states and grantees to ensure Head Start grantees are able to participate in their QRIS. We understand programs have taken steps to participate in QRIS and that many states are assessing their QRIS with new Head Start QRIS participation policies, but additional time is needed to align these systems. We want to minimize any unintentional burden on states that choose to adapt their systems to incorporate Head Start participation, as well as alleviate programs' concerns about meeting the current compliance date for participation in QRIS.

Given the variation in the state/local QRIS landscape and the applicability of the conditions in the regulation, the original compliance date for the requirement in the HSPPS at 45 CFR 1302.53(b)(2) was August 1, 2017 in the previously mentioned compliance table. Through this document, we are delaying the date by which programs must implement the specific requirement for QRIS participation until September 30, 2018. The broader requirement for Head Start programs to take an active role in promoting coordinated early childhood systems continues to be in effect.

Conclusion

We ordinarily publish a notice of proposed rulemaking in the **Federal Register** to provide a period for public comment before the provisions of a rule take effect in accordance with section 553(b) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). However, we can waive this notice and comment procedure if the Secretary finds, for good cause, that the notice and comment process is impracticable, unnecessary, or contrary to the public interest, and incorporates a statement of the finding and the reasons therefore in the notice.

We find good cause to waive public comment under section 553(b) of the APA because it is unnecessary and contrary to the public interest to provide for public comment in this instance. The delayed compliance date poses no harm or burden to programs or the public. A period for public comment would have only extended programs'

concerns about complying with these requirements by the compliance date. Programs may voluntarily come into compliance at an earlier date if they have the processes already in place. Programs that do not have processes already in place, have until September 30, 2018, to comply with the requirements on background checks at 45 CFR 1302.90(b) and the requirement to participate in their states' QRIS at 45 CFR 1302.53(b)(2).

Dated: September 6, 2017.

Steven Wagner,

Acting Assistant Secretary for Children and Families.

Approved: September 6, 2017.

Thomas E. Price,

Secretary.

[FR Doc. 2017–20499 Filed 9–27–17; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 130312235–3658–02]

RIN 0648–XF683

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Resources of the South Atlantic; Commercial Trip Limit Reduction for Vermilion Snapper

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Temporary rule; trip limit reduction.

SUMMARY: NMFS reduces the commercial trip limit for vermilion snapper in or from the exclusive economic zone (EEZ) of the South Atlantic to 500 lb (227 kg), gutted weight, 555 lb (252 kg), round weight. This trip limit reduction is necessary to protect the South Atlantic vermilion snapper resource.

DATES: This rule is effective 12:01 a.m., local time, October 2, 2017, until 12:01 a.m., local time, January 1, 2018.

FOR FURTHER INFORMATION CONTACT: Mary Vara, NMFS Southeast Regional Office, telephone: 727–824–5305, email: *mary.vara@noaa.gov*.

SUPPLEMENTARY INFORMATION: The snapper-grouper fishery in the South Atlantic includes vermilion snapper and is managed under the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (FMP). The South Atlantic Fishery Management Council prepared the FMP. The FMP is implemented by NMFS under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) by regulations at 50 CFR part 622.

The commercial ACL (commercial quota) for vermilion snapper in the South Atlantic is divided into two 6-month time periods, January through June, and July through December. For the July 1 through December 31, 2017, fishing season, the commercial quota is 388,703 lb (176,313 kg), gutted weight, 431,460 lb (195,707 kg), round weight (50 CFR 622.190(a)(4)(ii)(D)). As specified in 50 CFR 622.190(a)(4)(iii), any unused portion of the commercial quota from the January through June 2017 fishing season will be added to the commercial quota for the July through December 2017 fishing season. Accordingly, NMFS determined that 20,379 lb (9,407 kg), round weight, of the commercial quota was not harvested in the January through June 2017 fishing season, and NMFS added that to the July through December commercial quota.

Under 50 CFR 622.191(a)(6)(ii), NMFS is required to reduce the commercial trip limit for vermilion snapper from 1,000 lb (454 kg), gutted weight, 1,110 lb (503 kg), round weight, to 500 lb (227 kg), gutted weight, 555 lb (252 kg), round weight, when 75 percent of the fishing season commercial quota is reached or projected to be reached, by filing a notification to that effect with the Office of the Federal Register. Based on current information, NMFS has determined that 75 percent of the commercial quota for the July through December 2017 fishing season for vermilion snapper (including the January through June unused quota) was reached by September 19, 2017. Accordingly, NMFS is reducing the commercial trip limit for vermilion snapper to 500 lb (227 kg), gutted weight, 555 lb (252 kg), round weight, in or from the South Atlantic EEZ at 12:01 a.m., local time, on October 2, 2017. This reduced commercial trip limit will remain in effect until the start of the next commercial fishing season on January 1, 2018, or until the commercial quota is reached and the commercial sector closes, whichever occurs first.

Classification

The Regional Administrator, Southeast Region, NMFS, has determined this temporary rule is necessary for the conservation and management of South Atlantic vermilion snapper and is consistent with the Magnuson-Stevens Act and other applicable laws.

This action is taken under 50 CFR 622.191(a)(6)(ii) and is exempt from review under Executive Order 12866.

These measures are exempt from the procedures of the Regulatory Flexibility Act because the temporary rule is issued without opportunity for prior notice and comment.

This action responds to the best scientific information available. The Assistant Administrator for NOAA Fisheries (AA) finds that the need to immediately implement this commercial trip limit reduction constitutes good cause to waive the requirements to provide prior notice and opportunity for public comment pursuant to the authority set forth in 5 U.S.C. 553(b)(B), because prior notice and opportunity for public comment on this temporary rule is unnecessary and contrary to the public interest. Such procedures are unnecessary, because the rule establishing the trip limit and trip limit reduction has already been subject to notice and comment, and all that remains is to notify the public of the trip limit reduction. Prior notice and opportunity for public comment is contrary to the public interest, because any delay in reducing the commercial trip limit could result in the commercial quota being exceeded. There is a need to immediately implement this action to protect the vermilion snapper resource, since the capacity of the fishing fleet allows for rapid harvest of the commercial quota. Prior notice and opportunity for public comment on this action would require time and increase the probability that the commercial sector could exceed its quota.

For the aforementioned reasons, the AA also finds good cause to waive the 30-day delay in the effectiveness of this action under 5 U.S.C. 553(d)(3).

Authority: 16 U.S.C. 1801 *et seq.*

Dated: September 25, 2017.

Emily H. Menashes,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2017–20792 Filed 9–25–17; 4:15 pm]

BILLING CODE 3510–22–P