

Paragraph 6005 Class E Airspace Areas
Extending Upward From 700 Feet or
More Above the Surface of the Earth.

* * * * *

AAL AK E5 Craig, AK [NEW]

El Capitan Lodge, AK
(Lat. 55°57'31" N, long. 133°15'12" W)
El Capitan Lodge, Point In Space Coordinates
(Lat. 55°58'6" N, long. 133°15'59" W)

That airspace extending upward from 700 feet above the surface within a 2-mile radius from a point in space lat. 55°58'6" N, long. 133°15'59" W, and that airspace 1.9 miles each side of the 353° bearing from the point in space extending from the 2-mile radius 8.5 miles north from the point in space and that airspace 2 miles each side of the 232° bearing from the point in space extending from the 2-mile radius 4 miles southwest from the point in space.

Issued in Seattle, Washington, on March 9, 2021.

B.G. Chew,

Acting Group Manager, Operations Support
Group, Western Service Center.

[FR Doc. 2021-05230 Filed 3-12-21; 8:45 am]

BILLING CODE 4910-13-P

NATIONAL LABOR RELATIONS BOARD

29 CFR Part 103

RIN 3142-AA15

Jurisdiction—Nonemployee Status of University and College Students Working in Connection With Their Studies

AGENCY: National Labor Relations Board.

ACTION: Withdrawal of proposed rulemaking.

SUMMARY: This document withdraws a proposed rule that was published in the **Federal Register** on September 23, 2019, as corrected on October 16, 2019. The proposed rule would have established that students who perform any services for compensation, including, but not limited to, teaching or research, at a private college or university in connection with their studies are not “employees” within the meaning of the National Labor Relations Act.

DATES: As of March 15, 2021, the proposed rule published on September 23, 2019, at 84 FR 49691, and corrected on October 16, 2019, at 84 FR 55265, is withdrawn.

FOR FURTHER INFORMATION CONTACT: Roxanne L. Rothschild, Executive Secretary, National Labor Relations Board, 1015 Half Street SE, Washington, DC 20570-0001, (202) 273-1940 (this is not a toll-free number), 1-866-315-6572 (TTY/TDD).

SUPPLEMENTARY INFORMATION: The National Labor Relations Board is withdrawing the notice of proposed rulemaking that was published in the **Federal Register** on September 23, 2019 (84 FR 49691), and corrected on October 16, 2019 (84 FR 55265). The document proposed a rule establishing that students who perform any services for compensation, including, but not limited to, teaching or research, at a private college or university in connection with their studies are not “employees” within the meaning of Section 2(3) of the National Labor Relations Act. The Board has decided to withdraw this rulemaking proceeding based on its judgment respecting the most effective allocation of the Board’s limited resources at this time. In light of competing agency priorities, the Board has determined to focus its time and resources on the adjudication of cases currently in progress.

Dated: Washington, DC, March 9, 2021.

By direction of the Board.

Roxanne L. Rothschild,

Executive Secretary.

[FR Doc. 2021-05184 Filed 3-12-21; 8:45 am]

BILLING CODE 7545-01-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R08-OAR-2021-0056; FRL-10021-25-Region 8]

Approval and Promulgation of Implementation Plans; Utah; Source Category Exemptions Revisions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve the State of Utah’s Source Category Exemptions Revisions as submitted on November 5, 2019. The EPA is taking this action pursuant to the Clean Air Act (CAA).

DATES: Written comments must be received on or before April 14, 2021.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-R08-OAR-2021-0056, to the Federal Rulemaking Portal: <https://www.regulations.gov>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from www.regulations.gov. The 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 <http://www2.epa.gov/dockets/commenting-epa-dockets>.

Docket: All documents in the docket are listed in the www.regulations.gov index. Although listed in the index, some information is not publicly available, *e.g.*, CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available electronically in www.regulations.gov. To reduce the risk of COVID-19 transmission, for this action we do not plan to offer hard copy review of the docket. Please email or call the person listed in the **FOR FURTHER INFORMATION CONTACT** section if you need to make alternative arrangements for access to the docket.

FOR FURTHER INFORMATION CONTACT:

Kevin Leone, Air and Radiation Division, EPA, Region 8, Mailcode 8ARD-IO, 1595 Wynkoop Street, Denver, Colorado 80202-1129, (303) 312-6227, leone.kevin@epa.gov.

SUPPLEMENTARY INFORMATION:

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

I. Background

The State of Utah’s regulation R307-401-10 was originally submitted on September 20, 1999 and was titled “Low Oxides of Nitrogen Burner Technology.” The Utah permitting regulations were reorganized and renumbered in Utah’s September 15, 2006 submittal, The “Low Oxides of Nitrogen Burner Technology” was deleted and moved to R307-328 “Ozone Nonattainment and Maintenance Areas in Utah and Weber Counties Gasoline Transfer and Storage”; R307-401-10 was then replaced with the title: “Source Category Exemptions.” These revisions were acted on in EPA’s rulemaking “Approval and Promulgation of Air

Quality Implementation Plans; Utah; Revisions to Utah Administrative Code—Permit: New and Modified Sources” which was published on February 2, 2014 (79 FR 7072). The 2006 submittal did not include R307–401–10(6), which was submitted on November 5, 2019 and we are proposing to act on today. Source categories within R307–401–10 are exempt from going through the approval order process, as outlined in R307–401. The revision we are proposing to act on today adds gasoline dispensing facilities as an exempt source category by adding the following language to the State of Utah’s SIP:

A gasoline dispensing facility as defined in 40 CFR 63.11132 that is not a major source as defined in R307–101–2. These sources shall comply with the applicable requirements of R307–328 [Gasoline Transfer and Storage] and 40 CFR 63 Subpart CCCCCC: National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities.

Sources receiving an exemption under R307–401–10 are still subject to the requirements located in: (1) R307–401(2)(a), which prevents exempt sources from circumventing major New Source Review (NSR) requirements; (2) R307–401–4, which contains the general permitting requirements; (3) R307–201 through 207, which contains the State permitting area source regulations; and (4) R307 section 300, which contains the State permitting nonattainment and maintenance area regulations. In addition, gasoline dispensing sources under R307–401–10(6) would also have to comply with the requirements of 40 CFR part 63, subpart CCCCCC: National Emissions Standards for Hazardous Air Pollutants for gasoline dispensing facilities and R307–328, which establishes Reasonably Available Control Technology (RACT) for control of gasoline vapors during the filling of gasoline cargo tank and storage tanks in Utah. The rule is based on federal control technique guidance documents. This requirement is commonly referred to as stage I vapor recovery. The exemption thresholds are the thresholds defining a major source and major modification as detailed in R307–101–2 (General Requirements, Definitions.). These thresholds and the additional regulatory safeguards ensure protection of all National Ambient Air Quality Standards (NAAQS) and thus meet the requirements of CAA section 110(a)(2)(C), 40 CFR 51.160, and CAA section 110(l).

R307–401–10(6), as described in Utah’s November 5, 2019 submittal, became State effective on June 6, 2019.

II. The EPA’s Evaluation

EPA’s regulations at 40 CFR 51.160 do not require the issuance of a permit for the construction or modification of minor sources, but only that the SIP include a procedure to prevent the construction of a source or modification that would violate the SIP control strategy or interfere with attainment or maintenance of the NAAQS.

EPA recognizes that, under the applicable federal regulations, states have broad discretion to determine the scope of their minor NSR programs as needed to attain and maintain the NAAQS. A state may tailor its minor NSR requirements as long as they are consistent with the requirements of CAA 110(a)(2)(C) and 40 CFR 51.160–164. States may also provide a rationale for why the rules are at least as stringent as the 40 CFR part 51 requirements where the revisions are different from those in 40 CFR part 51.

The State of Utah’s permitting regulations located in R307 provide appropriate safeguards to ensure attainment and maintenance of the NAAQS; as noted above. In particular the general provisions in Utah’s permitting rule, R307–401–4 which applies to all new and modified sources, even those under the threshold for being required to obtain an approval order. These general provisions require all control apparatuses to be properly maintained. In addition, the director has authority under R307–401–4(2) to require an approval order for a small source if it is creating an adverse impact on the environment, human health or welfare.

III. Proposed Action

Based on the above discussion, EPA finds that the addition of R307–401–10(6) would not interfere with attainment or maintenance of any of the NAAQS in the State of Utah and would not interfere with any other applicable requirement of the CAA and thus is approvable under CAA 110(a)(2)(C), 40 CFR 51.160–164 and CAA section 110(l). Therefore, we are proposing to approve the revisions to “Source Category Exemptions Revisions” as submitted by the State of Utah on November 5, 2019.

IV. Incorporation by Reference

In this document, the EPA is proposing to include regulatory text in an EPA final rule that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is proposing to incorporate by reference the amendments described in section III.

The EPA has made, and will continue to make, these materials generally available through www.regulations.gov and at the EPA Region 8 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

V. 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, the EPA’s role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely proposes to approve 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 Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- Is not an Executive Order 13771 (82 FR 9339, February 2, 2017) regulatory action because SIP approvals are exempted under Executive Order 12866;
- 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 CAA; 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, the SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the proposed rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Greenhouse gases, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

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

Dated: March 8, 2021.

Debra H. Thomas,

Acting Regional Administrator, Region 8.

[FR Doc. 2021-05227 Filed 3-12-21; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R01-OAR-2010-0042; FRL-10021-29-Region 1]

Air Plan Approval; Connecticut; Definitions of Emergency and Emergency Engine

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve a State Implementation Plan (SIP) revision submitted by the State of Connecticut on December 20, 2019. This revision amends the State's definitions of "emergency" and "emergency engine" in its air quality regulations. The intended effect of this action is to propose approval of the December 20, 2019, submittal into the Connecticut SIP. This action is being taken under the Clean Air Act.

DATES: Written comments must be received on or before April 14, 2021.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-R01-OAR-2021-0042 at <https://www.regulations.gov>, or via email to creilson.john@epa.gov. For comments submitted at *Regulations.gov*, follow the

online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. For either manner of submission, the 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, 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 <https://www.epa.gov/dockets/commenting-epa-dockets>. Publicly available docket materials are available at <https://www.regulations.gov> or at the U.S. Environmental Protection Agency, EPA Region 1 Regional Office, Air and Radiation Division, 5 Post Office Square—Suite 100, Boston, MA. EPA requests that if at all possible, you contact the contact listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office's official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding legal holidays and facility closures due to COVID-19. **FOR FURTHER INFORMATION CONTACT:** John Creilson, Air Quality Branch, U.S. Environmental Protection Agency, EPA Region 1, 5 Post Office Square—Suite 100, (Mail code 05-2), Boston, MA 02109, tel. (617) 918-1688, email creilson.john@epa.gov. **SUPPLEMENTARY INFORMATION:** Throughout this document whenever "we," "us," or "our" is used, we mean EPA.

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I. Background and Purpose

On December 20, 2019, the Connecticut Department of Energy and Environmental Protection (DEEP) submitted a revision to its State Implementation Plan (SIP) to add a

recent amendment to Connecticut's air quality regulations concerning the definitions of "emergency" and "emergency engine," which became effective as state law on October 8, 2019.

Effective June 1, 2018, the Independent System Operator for New England (ISO-NE) revised its Operating Procedure No. 4 to reflect changes in how demand response generating units are compensated in the energy markets. Since 2005, DEEP has referred to ISO-NE's Operating Procedure No. 4 to describe certain circumstances under which an electric generating unit is classified as an emergency unit within its air quality regulations. Due to the ISO-NE's revisions, references to Operating Procedure No. 4 in Connecticut's air quality regulations no longer produce the desired result in classifying electric generating units as emergency units for air quality purposes. Classification as an emergency unit means that the unit can only operate during capacity deficiencies (true reliability emergencies) and exempts the unit from meeting certain air quality requirements. Retaining the existing reference could create confusion in the regulated community and allow an increase in emissions if an emission unit owner not entitled to an emergency classification claimed emergency status to avoid expensive pollution controls.

II. Connecticut's SIP Revision

On December 20, 2019, the Connecticut Department of Energy and Environmental Protection (DEEP) submitted a SIP revision to EPA. The SIP revision replaces two definitions within the previously approved Regulations of Connecticut State Agencies (RCSA) Section 22a-174-22e, Control of NO_x Emissions from Fuel-burning Equipment at Major Stationary Sources of NO_x. The revision proposes to add to the State's SIP a recent amendment to 22a-174-22e concerning the definitions of "emergency" and "emergency engine," which became effective as a state requirement on October 8, 2019. On the whole, this action will make Connecticut's definition of these terms consistent with the revisions to ISO-NE Operating Procedure No. 4 to reflect changes in how demand response generating units are compensated in the energy markets and will have a beneficial effect on air quality by reducing NO_x emissions.

Specifically, this action adjusts the definitions of "emergency" and "emergency engine" in RCSA section 22a-174-22e(a) to remove references to Operating Procedure No. 4 (OP-4). Additionally, two compliance options