

EPA-APPROVED IOWA REGULATIONS—Continued

Iowa citation	Title	State effective date	EPA approval date	Explanation
567–33.3	Special Construction Permit Requirements for Major Stationary Sources in Areas Designated Attainment or Unclassified (PSD).	7/22/2020	6/25/2021, [insert aster citation].	Provisions of the 2010 PM _{2.5} PSD—Increments, SILs and SMCs rule, published in the Federal Register on October 20, 2010, relating to SILs and SMCs that were affected by the January 22, 2013, U.S. Court of Appeals decision are not, at the state’s request, included in Iowa’s SIP provisions (see Federal Register , March 14, 2014) (Vol. 79, No. 50).

PART 70—STATE OPERATING PERMIT PROGRAMS

■ 3. The authority citation for part 70 continues to read as follows:

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

■ 4. In appendix A to part 70 the entry for “Iowa” is amended by adding paragraph (w) to read as follows:

Appendix A to Part 70—Approval Status of State and Local Operating Permits Programs

* * * * *

Iowa

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(w) The Iowa Department of Natural Resources submitted for program approval revisions to rules 567–22.100, 567–22.120, 567–22.105(1), 567–22.106(2), and 567–22.128(4). The state effective date for 567–22.105(1) and 567–22.106(2) is April 17, 2019. The state effective date for 567–22.100, 567–22.120, and 567–22.128(4) is July 22, 2020. This revision is effective August 24, 2021.

* * * * *

[FR Doc. 2021–13456 Filed 6–24–21; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 81

[EPA–R08–OAR–2020–0741; FRL–10025–27–Region 8]

Approval and Promulgation of Implementation Plans; Montana; Butte PM₁₀ Nonattainment Area Limited Maintenance Plan and Redesignation Request

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving the Limited Maintenance Plan (LMP) submitted by the State of Montana to EPA on March 23, 2020, for the Butte Moderate nonattainment area (NAA) for particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers (PM₁₀) and concurrently redesignate the NAA to attainment for the 24-hour PM₁₀ National Ambient Air Quality Standard (NAAQS). In order to approve the LMP and redesignation, EPA determined that the Butte, MT NAA has attained the 1987 24-hour PM₁₀ NAAQS of 150 µg/m³. This determination is based upon monitored air quality data for the PM₁₀ NAAQS during the years 2014 through 2018. The EPA is taking this action pursuant to the Clean Air Act (CAA).

DATES: This rule is effective on July 26, 2021.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA–R08–OAR–2020–0741. All documents in the docket are listed on the <http://www.regulations.gov> website. 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, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available through <http://www.regulations.gov>, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information.

FOR FURTHER INFORMATION CONTACT: Kate Gregory, Air and Radiation Division, U.S. Environmental Protection Agency

(EPA), Region 8, Mail Code 8P–ARD–QP, 1595 Wynkoop Street, Denver, Colorado 80202–1129, telephone number: (303) 312–6175, email address: gregory.kate@epa.gov.

SUPPLEMENTARY INFORMATION: Throughout this document “we,” “us,” and “our” means the EPA.

I. Background

The background for this action is discussed in detail in our April 19, 2021 proposal (86 FR 20353). In that document, we proposed to approve the LMP for the Butte NAA and the State’s request to redesignate the Butte NAA from nonattainment to attainment for the 1987 24-hour PM₁₀ NAAQS. Additionally, we proposed to determine that the Butte NAA has attained the NAAQS for PM₁₀. That determination was based upon monitored air quality data for the PM₁₀ NAAQS during the years 2014 through 2018. Finally, in our April 19, 2021 proposal, EPA proposed to approve the Butte LMP as meeting the appropriate transportation conformity requirements found in 40 CFR part 93, subpart A.

The public comment period on the EPA’s proposed rule opened on April 19, 2021, the date of its publication in the **Federal Register** (86 FR 20353) and closed on May 19, 2021. During this time, the EPA received two comments, both in support of this action and neither require response to comment.

II. Final Action

For the reasons explained in our proposed action, we are approving the LMP for the Butte NAA and the State’s request to redesignate the Butte NAA from nonattainment to attainment for the 1987 24-hour PM₁₀ NAAQS. Additionally, the EPA is determining that the Butte NAA has attained the

NAAQS for PM₁₀. This determination is based upon monitored air quality data for the PM₁₀ NAAQS during the years 2014 through 2018. The EPA is approving that the Butte LMP as meeting the appropriate transportation conformity requirements found in 40 CFR part 93, subpart A.

III. Incorporation by Reference

In this document, the EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is finalizing the incorporation by reference of the EPA is finalizing the incorporation by reference of maintenance plans for the Butte PM₁₀ NAA and the Governor of Montana's redesignation requests for the Butte PM₁₀ NAAs to attainment. 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). Therefore, these materials have been approved by the EPA for inclusion in the State implementation plan, have been incorporated by reference by the EPA into that plan, are fully federally enforceable under sections 110 and 113 of the CAA as of the effective date of the final rulemaking of the EPA's approval, and will be incorporated by reference in the next update to the SIP compilation.¹

IV. Statutory and Executive Order Reviews

Under the Clean Air Act, 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 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 Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);

- 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, 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 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).

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 Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by August 24, 2021. 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

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.

40 CFR Part 81

Environmental protection, Air pollution control, National parks, and Wilderness areas.

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

Dated: June 21, 2021.

Debra H. Thomas,

Acting Regional Administrator, Region 8.

40 CFR parts 52 and 81 are 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 BB—Montana

■ 2. In § 52.1370, the table in paragraph (e) is amended by adding the entry "Butte 1987 PM₁₀ Limited Maintenance Plan" under the heading entitled "(8) Silver Bow County" at the end of the section to read as follows:

§ 52.1370 Identification of plan.

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(e) * * *

¹ 62 FR 27968 (May 22, 1997).

Title/subject	State effective date	Notice of final rule date	NFR citation
*	*	*	*
(8) Silver Bow County			
Butte 1987 PM ₁₀ Limited Maintenance Plan	*	6/25/2021	[insert Federal Register citation].
*	*	*	*

■ 3. In § 52.1374, add paragraph (f) to read as follows:

§ 52.1374 Control strategy: Particulate matter.

* * * * *

(f) On March 23, 2020, the State of Montana submitted limited maintenance plans for the Butte PM₁₀ nonattainment areas and requested that this area be redesignated to attainment

for the PM₁₀ National Ambient Air Quality Standards. The redesignation request and limited maintenance plans satisfy all applicable requirements of the Clean Air Act.

PART 81—DESIGNATION OF AREAS FOR AIR QUALITY PLANNING PURPOSES

■ 4. The authority citation for part 81 continues to read as follows:

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

Subpart C—Section 107 Attainment Status Designations

■ 5. In § 81.327, the table entitled “Montana—PM-10” is amended by revising the entry “Silver Bow County, Butte” to read as follows:

§ 81.327 Montana.

* * * * *

Designated area	Designation		Classification	
	Date	Type	Date	Type
Silver Bow County, Butte	7/26/2021	Attainment.		
*	*	*	*	*

The following area of Butte-Silver Bow excluding the territorial limits of the City of Walkerville: Beginning at the Northwest corner of Section 2, T.3N., R.8W., thence Easterly to Northeast corner Section 5, T.3N., R.7W.; then Southerly to Northwest corner Section 9, T.3N., R.7W.; thence Easterly to Northeast corner Section 10, T.3N., R.7W.; thence Southerly to Southeast corner Section 22, T.2N., R.7W.; thence Westerly to Southwest corner Section 19, T.2N., R.7W.; thence Northerly to Northwest corner Section 19, T.2N., R.7W.; thence Westerly to Southwest corner Section 14, T.2N., R.8W.; thence Northerly to Southwest corner Section 35, T.3N., R.8W.; thence Westerly to Southwest corner Section 34, T.3N., R.8W.; thence Northerly to Northwest corner Section 27, T.3N., R.8W.; thence Westerly to Southwest corner Section 20, T.3N., R.8W.; thence Northerly to Northwest corner Section 17, T.3N., R.8W.; thence Easterly to Northwest corner Section 14, T.3N., R.8W.; thence Northerly to the point of beginning.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 54

[WC Docket No. 13-184; FCC 19-117; FRS 33027]

Modernizing the E-Rate Program for Schools and Libraries

AGENCY: Federal Communications Commission.

ACTION: Final rule; announcement of effective date.

SUMMARY: In this document, the Federal Communications Commission

(Commission) announces that the Office of Management and Budget (OMB) has approved, for a period of three years, an information collection associated with the rules for the Universal Service Schools and Libraries program contained in the Commission’s *Modernizing the E-Rate Program for Schools and Libraries Report and Order (Category Two Order)*, FCC 19-117. This document is consistent with the *Category Two Order*, which stated that the Commission would publish a document in the **Federal Register** announcing the effective date of the new information collection requirements.