

For this reason, the Secretary is waiving 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 allows the Department to issue a one-time FY 2024 continuation

award to the current PPSID–NTAD program grantee estimated as follows:

Institution	State	Award
University of Massachusetts at Boston .....	MA	\$1,543,686

Any activities carried out during the year of this continuation award must be consistent with the scope, goals, and objectives of the grantee’s application as approved in the FY 2021 competition.

Additionally, 5 U.S.C. 553(d)(1) contains an exception to the requirement in 5 U.S.C. 553(d) that requires publication or service of a substantive rule shall be made not less than 30 days before its effective date for a substantive rule which grants or recognizes an exemption or relieves a restriction. Accordingly, the Department has elected to make this final Waiver and Extension effective on September 19, 2024.

*Intergovernmental Review:* This program is 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 Federal financial assistance.

This document provides early notification of our specific plans and actions for this program.

*Regulatory Flexibility Act Certification*

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

The Secretary certifies that the final waiver and extension will not have a significant economic impact on these entities because the extension of an existing project period would impose minimal compliance costs to extend the existing project, 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 final waiver and extension does not contain any information collection requirements.

*Accessible Format:* On request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**, individuals with disabilities can obtain this document in an accessible format. The Department will provide the requestor with an accessible format that may include Rich Text Format (RTF) or text format (txt), a thumb drive, an MP3 file, braille, large print, audiotape, compact disc, or other accessible format.

*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](http://www.govinfo.gov). At this site you can view this document, as well as all other Department documents 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.

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**Nasser Paydar,**

*Assistant Secretary for Postsecondary Education.*

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

**[EPA–R09–OAR–2023–0405; FRL–11263–02–R9]**

**Air Plan Approval; Nevada; Washoe County Health District**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is taking final action to approve a revision to the Washoe County portion of the Nevada State

Implementation Plan (SIP). This revision concerns emissions of particulate matter (PM) from woodburning devices. We are approving a local rule that regulates these emission sources under the Clean Air Act (CAA or the Act).

**DATES:** This rule is effective October 21, 2024.

**ADDRESSES:** The EPA has established a docket for this action under Docket ID No. EPA–R09–OAR–2023–0405. All documents in the docket are listed on the <https://www.regulations.gov> website. Although listed in the index, some information is not publicly available, e.g., Confidential Business Information (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 <https://www.regulations.gov>, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information. If you need assistance in a language other than English or if you are a person with a disability who needs a reasonable accommodation at no cost to you, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section.

**FOR FURTHER INFORMATION CONTACT:** Christine Vineyard, EPA Region IX, 75 Hawthorne St., San Francisco, CA 94105; phone: (415) 947–4125; email: [vineyard.christine@epa.gov](mailto:vineyard.christine@epa.gov).

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

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**I. Proposed Action**

On June 14, 2024 (89 FR 50543), the EPA proposed to approve the following rule into the Nevada SIP.

Local agency	Rule No.	Rule title	Revised	Submitted
Washoe County District Board of Health (DBOH) .....	040.051	Wood-Burning Devices .....	02/24/22	10/04/22

We proposed to approve this rule because we determined that it complies with the relevant CAA requirements. Our proposed action contains more information on the rule and our evaluation.

**II. Public Comments and EPA Responses**

The EPA’s proposed action provided a 30-day public comment period. During this period, we received three comments. Two of the comments were anonymous and supported the proposed action. The third comment discussed the environmental effects of growing cannabis. The EPA has determined that this comment fails to raise issues germane to the proposed revisions to DBOH Rule 040.051, which regulates emissions of PM from wood-burning devices. Therefore, we have determined that none of the submitted comments necessitate a specific response.

**III. EPA Action**

No comments were submitted that change our assessment of the rule as described in our proposed action. Therefore, as authorized in section 110(k)(3) of the Act, the EPA is approving this rule into the Nevada SIP. The February 24, 2022 version of Rule 040.051 will replace the previously approved version of this rule in the SIP.

**IV. Incorporation by Reference**

In this rule, 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 DBOH Rule 040.051, Wood-Burning Devices revised on February 24, 2022, which regulates PM emissions from woodburning devices. Therefore, these materials have been approved by the EPA for inclusion in the SIP, 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.<sup>1</sup> The EPA has made, and will continue to make, these documents available through [www.regulations.gov](http://www.regulations.gov) and at the EPA Region IX 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 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 14094 (88 FR 21879, April 11, 2023);
- 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 subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a state program;
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
- 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.

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where the 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).

Executive Order 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 59 FR 7629, February 16, 1994) directs Federal agencies to identify and address “disproportionately high and adverse human health or environmental effects” of their actions on minority populations and low-income populations to the greatest extent practicable and permitted by law. The EPA defines environmental justice (EJ) as “the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.” The EPA further defines the term fair treatment to mean that “no group of people should bear a disproportionate burden of environmental harms and risks, including those resulting from the negative environmental consequences of industrial, governmental, and commercial operations or programs and policies.”

The State did not evaluate environmental justice considerations as part of its SIP submittal; the CAA and applicable implementing regulations neither prohibit nor require such an evaluation. The EPA did not perform an EJ analysis and did not consider EJ in this action. Consideration of EJ is not required as part of this action, and there is no information in the record inconsistent with the stated goal of Executive Order 12898 of achieving environmental justice for people of color, low-income populations, and Indigenous peoples.

This action is subject to the Congressional Review Act, and the 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).

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 November 18, 2024. 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

<sup>1</sup> 62 FR 27968 (May 22, 1997).

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, Incorporation by reference, Intergovernmental relations, Particulate matter, Reporting and recordkeeping requirements.

Dated: September 12, 2024.  
**Martha Guzman Aceves,**  
*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 DD—Nevada**

■ 2. In § 52.1470, in paragraph (c), table 7 is amended by revising the entry for “040.051” to read as follows:

**§ 52.1470 Identification of plan.**

\* \* \* \* \*  
 (c) \* \* \*

TABLE 7—EPA-APPROVED WASHOE COUNTY REGULATIONS

District citation	Title/subject	District effective date	EPA approval date	Additional explanation
040.051	Wood-Burning Devices	7/1/2022	[INSERT FIRST PAGE OF FEDERAL REGISTER CITATION], 9/19/2024.	Submitted on 10/4/2022.

\* \* \* \* \*  
 [FR Doc. 2024–21218 Filed 9–18–24; 8:45 am]  
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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[EPA–R04–OAR–2017–0454; EPA–R04–OAR–2019–0638; EPA–R04–OAR–2020–0186; FRL–11971–02–R4]

**Air Plan Approval; North Carolina; Permitting Provisions Revisions**

**AGENCY:** Environmental Protection Agency (EPA).  
**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is correcting the erroneous incorporation of cross-references into the North Carolina State Implementation Plan (SIP) using the Clean Air Act (CAA or Act) error correction provision. EPA has determined that portions of its May 23, 2019, July 17, 2020, and March 1, 2021, final SIP rulemaking actions were in error and that it is appropriate to correct those actions by removing specific cross-references in the permitting rules from the SIP.

**DATES:** This rule is effective October 21, 2024.

**ADDRESSES:** EPA has established a docket for this action under Docket Identification No. EPA–R04–OAR–2017–0454. Additional supporting materials associated with this final action are included in Docket Nos.

EPA–R04–OAR–2019–0638 and EPA–R04–OAR–2020–0186. All documents in the docket are listed on the *regulations.gov* website. Although listed in the index, some information may not be publicly available, *i.e.*, Confidential Business Information 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 either electronically through *www.regulations.gov* or in hard copy at the Air Regulatory Management Section, Air Planning and Implementation Branch, Air and Radiation Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW, Atlanta, Georgia 30303–8960. EPA requests that if at all possible, you contact the person 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 Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Steve Scofield, Multi-Air Pollutant Coordination Section, Air Planning and Implementation Branch, Air and Radiation Division, Region 4, U.S. Environmental Protection Agency, 61 Forsyth Street SW, Atlanta, Georgia 30303–8960. The telephone number is (404) 562–9034. Mr. Scofield can also be reached via electronic mail at *scofield.steve@epa.gov*.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

On May 23, 2019, July 17, 2020, and March 1, 2021,<sup>1</sup> EPA approved revisions to 15A North Carolina Administrative Code (NCAC) 02Q .0101, 02Q .0103, and 02Q .0301 into the North Carolina SIP.<sup>2</sup> These revisions included cross-references to North Carolina General Statutes (G.S.) 143–215.108 and 143–215.108A; however, these cross-referenced provisions were not incorporated into the SIP. EPA has determined these prior approvals of the cross-referenced provisions were in error and is finalizing removal of these cross-references from 15A NCAC 02Q.0101, 02Q.0103 and 02Q.0301 of the SIP. Because the cross-referenced provisions are not incorporated into the SIP, changes to those provisions could change the SIP without the submission of a SIP revision and subsequent EPA action to approve such a change, which is inconsistent with the CAA. Specifically, CAA section 110(l) requires each SIP revision submitted by a State to undergo reasonable public notice and hearing and prevents EPA from approving a SIP revision that would interfere with any applicable requirement concerning attainment and reasonable further progress, or any other applicable requirement of the CAA.<sup>3</sup>

<sup>1</sup> See 84 FR 23725, 85 FR 43461, and 86 FR 11875.

<sup>2</sup> The revisions were submitted by the North Carolina Division of Air Quality in submissions dated March 24, 2006, and July 10, 2019.

<sup>3</sup> CAA sections 110(a)(1) and (2) also require each SIP submitted by a State to undergo reasonable public notice and hearing.